

SAN FRANCISCO PUBLIC LIBRARY



3 1223 06835 6410



San Francisco Public Library

GOVERNMENT INFORMATION CENTER
SAN FRANCISCO PUBLIC LIBRARY
100 LARKIN STREET
SAN FRANCISCO, CA 94102

REFERENCE BOOK

Not to be taken from the Library

HEARING
SENATE RULES COMMITTEE
STATE OF CALIFORNIA

DOCUMENTS DEPT.

OCT 03 2003

SAN FRANCISCO
PUBLIC LIBRARY



STATE CAPITOL
ROOM 113
SACRAMENTO, CALIFORNIA

WEDNESDAY, AUGUST 20, 2003
1:37 P.M.

3 1223 06835 6410

1 SENATE RULES COMMITTEE

2 STATE OF CALIFORNIA

3
4
5
6 HEARING

7
8
9
10 STATE CAPITOL

11 ROOM 113

12 SACRAMENTO, CALIFORNIA

13
14
15 WEDNESDAY, AUGUST 20, 2003

16 1:37 P.M.

17
18
19
20
21
22
23
24
25 Reported by:

26
27 Evelyn J. Mizak
28 Shorthand Reporter

APPEARANCESMEMBERS PRESENT

SENATOR JOHN BURTON, Chair

SENATOR BETTY KARNETTE

SENATOR WILLIAM KNIGHT

SENATOR GLORIA ROMERO

MEMBERS ABSENT

SENATOR ROSS JOHNSON, Vice Chair

STAFF PRESENT

GREG SCHMIDT, Executive Officer

PAT WEBB, Committee Secretary

NETTIE SABELHAUS, Consultant on Governor's Appointments

SUSIE SWATT, Consultant to SENATOR JOHNSON

TIM SHELLEY, Consultant to SENATOR KARNETTE

CHRIS BURNS, Consultant to SENATOR KNIGHT

CARY RUDMAN, Consultant to SENATOR ROMERO

ALSO PRESENT

KAREN GETMAN, Member
Alcoholic Beverage Control Appeals Board

JAMES C. GHIELMETTI, Member
California Transportation Commission

BOB BALGENORTH
State Building Trades

SHARON L. LAWIN, Member
Board of Prison Terms

MATTHEW R. MCKINNON, Deputy Secretary
Labor and Workforce Development Agency

1 SENATOR RICHARD ALARCON

2 VIRGINIA HAMILTON
3 California Workforce Association

4 TOM RANKIN
5 California Labor Federation, AFL-CIO

6 SCOTT WETCH
7 State Association of Electrical Workers
8 State Pipe Trades Council

9 LEE PEARSON
10 International Association of Machinists and Aerospace Workers

11 BARRY BROAD
12 Teamsters United Food and Commercial Workers

13 MARVIN KROPKE, Business Manager/Financial Secretary
14 IBW Local 11, Los Angeles
15 Executive Secretary, California State Association of
16 Electrical Workers

17 TIM CREMINS
18 Operating Engineers

19 DOROTHY FORTIER, President
20 Alameda Central Labor Council
21 Secretary-Treasurer, Electrical Workers Minority Caucus
22 Coalition of Labor Union Women

23 ART CARTER
24 State Pipe Trades Council
25 IBW
26 Sheetmetal Workers

27 JOHN K. McNALLY, Deputy Secretary
28 Labor and Workforce Development Agency

NANCY H. SUTLEY, Member
State Water Resources Control Board

DAVID BECKMAN
Natural Resources Defense Council

INDEX

	<u>Page</u>
Proceedings	1
<u>Governor's Appointees:</u>	
KAREN GETMAN, Member	
Alcoholic Beverage Control Appeals Board	1
Opening Statement	1
Questions by CHAIRMAN BURTON re:	
Other Members on Board	1
Reason Appeals Take So Long	2
Status of License Pending Appeal	2
Questions by SENATOR KNIGHT re:	
Board's Position on Licensees	
Selling Liquor to Minors	3
Board Policy on Number of	
Citations	3
Ability to Change ALJ's Imposed	
Penalties	4
Discussion on Penalties for Selling to Minors	4
Questions by SENATOR ROMERO re:	
Practice of "Carding" to Avoid	
Selling to Minors	5
Types of Identification Needed to	
Purchase Alcohol	6
Motion to Confirm	7
Committee Action	7

1	JAMES C. GHIEMMETTI, Member	
2	California Transportation Commission	8
3	Question by SENATOR KNIGHT re:	
4	Highway 138	8
5	<u>Witness in Support:</u>	
6	BOB BALGENORTH	
7	State Building Trades	9
8	Motion to Confirm	9
9	Committee Action	9
10	SHARON L. LAWIN, Member	
11	Board of Prison Terms	9
12	Opening Statement	10
13	Questions by SENATOR KNIGHT re:	
14	Provision of Inmates' Folders on	
15	Friday Prior to Monday Hearings	11
16	Questions by SENATOR KARNETTE re:	
17	Use of Video Conferencing	12
18	Questions by SENATOR ROMERO re:	
19	Factoring Inmate Participation in	
20	Education Programs into Parole	
21	Determinations	13
22	Waiting Lists of Educational Programs	13
23	Possibility of Tracking Data on	
24	Inmates Who Have Completed Educational	
	Programs	14
25	Questions by CHAIRMAN BURTON re:	
26	Lack of Available Programs Detracting from	
27	Inmate's Suitability for Parole	14
28	Good Reputation of Appointee	15

1	Recommendations to Better Prepare Other	
2	Members for Lifer Hearings	16
3	How Far in Advance of Hearings Members	
4	Receive Inmates' Files	16
5	Responsibility for Preparation of	
6	Members' Packets	17
7	Backlog of Cases for Documentation	
8	Hearings	18
9	Parole Revocations for Merely	
10	Technical Violations	19
11	Possibility of Board Establishing	
12	Grades of Technical Violations or	
13	Alternatives to Revocation	20
14	Suggestion that Alternatives to	
15	Revocation on Technical Violations be	
16	Brought up to Full Board for	
17	Discussion	21
18	Statements by CHAIRMAN BURTON re:	
19	Concerns with Board	21
20	Request to Take up with Board the	
21	Possibility of Alternatives to	
22	Revocations on Technical Violations	22
23	Motion to Confirm	22
24	Committee Action	23
25	MATTHEW R. McKINNON, Deputy Secretary	
26	Labor and Workforce Development Agency	23
27	Introduction and Support of Both	
28	Nominated Deputy Secretaries by	
	SENATOR RICHARD ALARCON	23
	Opening Statement by Appointee	24

Questions by SENATOR KNIGHT re:

Significant Responsibilities 25

Possible Reforms to Workers'
Compensation System 26

Questions by SENATOR KARNETTE re:

Past Experience Will Aid in
Performing New Role as Deputy Secretary 27

Questions by SENATOR ROMERO re:

Plans to Help Transition Participants in
Welfare to Work 28Need for Diversity in Apprenticeship
Programs 28

Questions by CHAIRMAN BURTON re:

Acting Secretary's Name 29

Background of Acting Secretary 30

Witnesses in Support:

VIRGINIA HAMILTON

California Workforce Association 31

TOM RANKIN

California Labor Federation 31

BOB BALGENORTH

State Building Trades 31

SCOTT WETCH

State Association of Electrical Workers

California State Pipe Trades Council 31

LEE PEARSON

International Association of Machinists and

Aerospace Workers 31

BARRY BROAD

Teamsters United Food and Commercial Workers 31

MARVIN KROPKE, Business Manager/Financial Secretary
IBW Local 11, Los Angeles
Exec. Secretary, California State Association of
Electrical Workers 31

TIM CREMINS
Operating Engineers 31

ART CARTER
California Pipe Trades Council, IBW,
Sheetmetal Workers 32

Motion to Confirm 32

Committee Action 33

JOHN K. McNALLY, Deputy Secretary
Labor and Workforce Development Agency 33

Background and Experience 33

Questions by CHAIRMAN BURTON re:

Fraudulent Unemployment Insurance
Claims Traceable to Payroll and
Personnel Record Theft from Employers 34

Witnesses in Support:

TOM RANKIN
California Labor Federation 31

BOB BALGENORTH
State Building Trades 31

SCOTT WETCH
State Association of Electrical Workers
California State Pipe Trades Council 31

LEE PEARSON
International Association of Machinists and
Aerospace Workers 31

BARRY BROAD
Teamsters United Food and Commercial Workers 31

1	MARVIN KROPKE, Business Manager/Financial Secretary	
2	IBW Local 11, Los Angeles	
3	Exec. Secretary, California State Association of	
4	Electrical Workers	31
5	TIM CREMINS	
6	Operating Engineers	31
7	DOROTHY FORTIER, President	
8	Alameda Central Labor Council	
9	Secretary/Treasurer, Electrical Workers	
10	Minority Caucus	
11	Assistant Business Manager, IBW Local 1245	
12	Board Member, Coalition of Labor Union Women	32
13	ART CARTER	
14	California Pipe Trades Council, IBW,	
15	Sheetmetal Workers	32
16	Motion to Confirm	36
17	Committee Action	36
18	NANCY H. SUTLEY, Member	
19	State Water Resources Control Board	37
20	Background and Experience	37
21	Questions by SENATOR ROMERO re:	
22	San Gabriel Conservancy	38
23	Questions by CHAIRMAN BURTON re:	
24	How Board Proposes to Deal with	
25	\$14 Million Reduction in Regulatory	
26	Programs	38
27	<u>Witness in Support:</u>	
28	DAVID BECKMAN	
	Natural Resources Defense Council	39
	Motion to Confirm	39
	Committee Action	40

1 Termination of Proceedings 40

2 Certificate of Reporter 41

3 APPENDIX: Appointees' Statements of Goals:

4 KAREN GETMAN 42

5 JAMES C. GHIELMETTI 43

6 SHARON L. LAWIN 46

7 MATTHEW R. MCKINNON 50

8 JOHN K. McNALLY 53

9 NANCY SUTLEY 57

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

P-R-O-C-E-E-D-I-N-G-S

--ooOoo--

CHAIRMAN BURTON: Governor's appointees appearing today, Karen Getman, ABC Control Appeals Board.

MS. GETMAN: Good morning, Senator Burton, Senators.

CHAIRMAN BURTON: Please talk into the mike.

MS. GETMAN: I'm sorry, I didn't know if you wanted a statement from me ahead of time.

CHAIRMAN BURTON: Yes.

MS. GETMAN: Thank you very much for the opportunity to appear here. I am delighted to appear in front of you to try to receive your confirmation as a member of the Alcohol Control Appeals Board.

I've been meeting with the Board since May, and I would be happy to answer any questions you might have about the Board.

I know that there have been some concerns about the amount of time that it is taking for cases to go through the appeals process. I've been trying to inquire about that through the staff, and I'd be happy to continue looking into that and see if there are possibilities for us to make that happen any quicker. I'm told that they are, in part, tied to the amount of time it takes for us to get a transcript from the administrative hearing judges.

CHAIRMAN BURTON: Who are the other members of the Board?

MS. GETMAN: The other members of the Board

1 are --

2 CHAIRMAN BURTON: A very impressive group.

3 [Laughter.]

4 MS. GETMAN: Ted Hunt is our Chairman, and the
5 Bishop, as we refer to him, is Lynn Brown is our other member,
6 and I'm the newest member. I'm a little nervous in my first
7 appearance. I apologize.

8 CHAIRMAN BURTON: Have they figured out why it
9 does take so long for the appeals?

10 MS. GETMAN: Here's what I am told. It takes us
11 two to three months to get a transcript back from the ALJs. We
12 then allow 30 days for the appellant to give us a brief, 30 days
13 for the Department to give us a brief, and then we set it for
14 hearing within the next 30 days after that. So, that's about a
15 six-month time for us to get the case to hearing.

16 CHAIRMAN BURTON: If somebody is cited for a
17 violation, so from that time until you make a decision it's
18 about 90 or 120 days, give or take?

19 MS. GETMAN: It can be, because it can take
20 awhile for them to get their hearing.

21 CHAIRMAN BURTON: And in the meantime, do they
22 have their license, or do they lose their license pending the
23 appeal?

24 MS. GETMAN: No, I don't believe they lose their
25 license pending the appeal.

26 CHAIRMAN BURTON: So, they stay in business until
27 the determination?

28 MS. GETMAN: That's my understanding, sir.

1 CHAIRMAN BURTON: Senator Knight.

2 SENATOR KNIGHT: We spoke this morning. I didn't
3 have any questions, but let me ask about six or seven.

4 MS. GETMAN: Sure.

5 SENATOR KNIGHT: The Appeals Board, you act in a
6 quasi-judicial category?

7 MS. GETMAN: We do, yes.

8 SENATOR KNIGHT: And if somebody is having
9 difficulties over a period of time with selling alcohol to
10 minors, what's the Board's position?

11 MS. GETMAN: We actually get quite a few of those
12 cases every month. And the penalties range from initially a
13 suspension, or a suspended operation of the license, or even
14 just a fine. By the second time around the penalties get much
15 more severe, and you can lose your license for that.

16 But there's quite an active minor decoy program
17 in operation through the state, and we hear quite a few cases
18 like that every month.

19 SENATOR KNIGHT: Is there a policy on the number
20 of times that they can be cited for that problem?

21 MS. GETMAN: A policy from the Board or from the
22 Department, sir?

23 SENATOR KNIGHT: From your Board's position?

24 MS. GETMAN: From our Board, when we get the case
25 in front of us, it already has had a recommendation from the
26 Department and then a recommendation from the administrative law
27 judge. We review that for an abuse of discretion standard.
28 I'll see that in the cases that I've seen, generally by the

1 second citation somebody loses the license, and we don't see
2 that as an abuse of discretion.

3 SENATOR KNIGHT: Do you have the authority to
4 change the penalties imposed by the administrative law judge?

5 MS. GETMAN: We have the ability to remand for
6 reconsideration, but we cannot impose a new penalty ourselves.

7 SENATOR KNIGHT: Thank you.

8 CHAIRMAN BURTON: I think, Senator, the
9 Department, I think we statutorily give whatever options, and I
10 think it's the Department that determines, like, first offense,
11 second offense, third offense, whether it be suspension or
12 whether they recommend revocation or not.

13 SENATOR KNIGHT: I guess my question deals with,
14 you indicated first offense, second offense, third offense.

15 How many do we go? Why isn't it something cut
16 and dried? You know, we'll give you a chance the first time,
17 but the second time, what's the problem? Your license is gone.

18 CHAIRMAN BURTON: I couldn't tell you. I guess
19 somebody could put in a bill and say, the first time anybody
20 sells booze to a minor they lose their license.

21 SENATOR KNIGHT: I'd give them a second chance,
22 but that's all.

23 CHAIRMAN BURTON: Well, somebody could give them
24 a second chance.

25 I think that's just the way it is statutorily,
26 Senator.

27 Senator Karnette.

28 SENATOR KARNETTE: No questions.

1 CHAIRMAN BURTON: Senator Romero.

2 SENATOR ROMERO: Thank you.

3 Let me just ask a question on just sort of what
4 the practice is, because I would imagine a lot of the appeals
5 coming before the Board, of course, have to do with suspensions
6 and penalties with charges of having sold to minors.

7 I can walk into, and I have, and I just sort of
8 nonscientifically observed practices in how vendors will sell to
9 minors. And I find very different patterns of behavior.

10 I've seen in some cases where the vendor will
11 say, or the seller at the store will say, "I card everybody up
12 to the age of 35." I've heard that.

13 MS. GETMAN: Right.

14 SENATOR ROMERO: I've gone into some stores, and
15 I just kind of hang back and watch. And people who I think are
16 under 21, no questions asked.

17 Is there a common practice? Is there
18 something -- we're supposed to card under 21, but sometimes
19 there's no carding at all, sometimes it's up to 35.

20 What is the practice, and how are these, perhaps,
21 inconsistencies brought up when people come up before you,
22 arguing for relief at the appeals level?

23 MS. GETMAN: And that's how we see them. We look
24 for, I think, there are a series of trainings that the
25 Department does for people who have liquor licenses to tell them
26 what they should be doing. There are also, for instance,
27 machines that can automatically read somebody's identification
28 on licenses now in the State of California. If somebody's under

1 the age of 21, that appears in big, red, bold letters. So, the
2 state has done quite a bit to make sure that there is some
3 checking going on, and there is a way to ascertain that.

4 When we see it is when we get a recommended
5 penalty for somebody who has sold to a minor. And the kinds of
6 things that we look at generally speaking are whether they have
7 followed all of those procedures. Do they have a policy in
8 place of carding everybody under a certain age, and what is that
9 policy? Is it in writing? How do they train their employees?
10 Are they consistent in their training of employees? Is this an
11 ongoing problem, or is this a rogue employee who did it one
12 time? What were the circumstances under which it was done?

13 We look at all of those factors in ascertaining
14 whether the penalty was an abuse of discretion.

15 SENATOR ROMERO: In the training, if for example,
16 I'm coming in to buy liquor and I don't have a driver's license,
17 I don't drive, or because of my status the state denies me a
18 driver's license, what do I show? What is asked for me in order
19 to purchase alcohol?

20 MS. GETMAN: If you are -- I think it depends on
21 your appearance. If you appear to be, for instance, under the
22 age of 30, I would think that the smart retailer is going to ask
23 you for some sort of identification. If it's not a state-issued
24 identification, that's not going to be a defense in a licensing
25 hearing. So one of the things you look for is whether it's a
26 state-issued identification. You can, for instance, get a state
27 identification card.

28 SENATOR ROMERO: Thank you.

1 CHAIRMAN BURTON: I think the issue is that the
2 establishment decides they card everybody under the age of 70
3 because then they can say when they get busted for selling to a
4 minor, "We have a policy of asking anybody that walks into the
5 place for an ID," so it slipped in as opposed to somebody that
6 it would be on record that they never ID'd anybody.

7 Witnesses in support?

8 SENATOR KNIGHT: So I won't have to be carded any
9 more.

10 [Laughter.]

11 CHAIRMAN BURTON: No, you're over 70.

12 Witnesses in opposition?

13 Hearing none, move the nomination.

14 SECRETARY WEBB: Senator Karnette.

15 SENATOR KARNETTE: Aye.

16 SECRETARY WEBB: Karnette Aye. Senator Knight.

17 SENATOR KNIGHT: Aye.

18 SECRETARY WEBB: Knight Aye. Senator Romero.

19 SENATOR ROMERO: Aye.

20 SECRETARY WEBB: Romero Aye. Senator Burton.

21 CHAIRMAN BURTON: Aye.

22 SECRETARY WEBB: Burton Aye. Four to zero.

23 CHAIRMAN BURTON: Congratulations.

24 MS. GETMAN: Thank you.

25 CHAIRMAN BURTON: Did you have any family with
26 you today?

27 MS. GETMAN: No, and no liquor either.

28 CHAIRMAN BURTON: Jim Ghielmetti, Member,

1 California Transportation Commission.

2 MR. GHIELMETTI: President Pro Tem Burton and
3 Senators, my name's Jim Ghielmetti. It's a pleasure to be
4 before you here today for, hopefully, my confirmation. It was
5 an honor that the Governor appointed me to the California
6 Transportation Commission, and I take the job very seriously.

7 I've submitted to you a statement of goals and
8 answered some questions.

9 CHAIRMAN BURTON: Is there something wrong with
10 that mike?

11 MR. GHIELMETTI: I've submitted a written
12 statement of goals and answered questions that were submitted to
13 me.

14 I don't want to keep anybody from a busy
15 schedule. I'd be happy to answer any questions.

16 CHAIRMAN BURTON: Senator Knight.

17 SENATOR KNIGHT: Just one.

18 MR. GHIELMETTI: All right.

19 SENATOR KNIGHT: You're very much aware of
20 Highway 138, I'm sure.

21 [Laughter.]

22 MR. GHIELMETTI: Yes, I am.

23 SENATOR KNIGHT: Okay, thank you.

24 [Laughter.]

25 MR. GHIELMETTI: And we are working on it.

26 CHAIRMAN BURTON: Is he for it or against it?
27 Senator Karnette.

28 SENATOR KARNETTE: We talked earlier. I got all

1 my questions answered.

2 CHAIRMAN BURTON: Senator Romero.

3 SENATOR ROMERO: No questions.

4 CHAIRMAN BURTON: Any witnesses in support,
5 briefly.

6 MR. BALGENORTH: State Building Trades supports.
7 Bob Balgenorth, State Building Trades, supporting Jim
8 Ghielmetti.

9 CHAIRMAN BURTON: Other witnesses in support?
10 Witnesses in opposition?

11 Hearing none, move the nomination.

12 SECRETARY WEBB: Senator Karnette.

13 SENATOR KARNETTE: Aye.

14 SECRETARY WEBB: Karnette Aye. Senator Knight.

15 SENATOR KNIGHT: Aye.

16 SECRETARY WEBB: Knight Aye. Senator Romero.

17 SENATOR ROMERO: Aye.

18 SECRETARY WEBB: Romero Aye. Senator Burton.

19 CHAIRMAN BURTON: Aye.

20 SECRETARY WEBB: Burton Aye. Four to zero.

21 CHAIRMAN BURTON: Congratulations, Jim.

22 MR. GHIELMETTI: Thank you.

23 CHAIRMAN BURTON: Did you have family with you?

24 MR. GHIELMETTI: No.

25 CHAIRMAN BURTON: Sharon Lawin, Board of Prison
26 Terms.

27 MS. LAWIN: Good afternoon, Senators.

28 As a Commissioner with the Board of Prison Terms,

1 I have conducted nearly 2,100 parole suitability hearings for
2 life prisoners plus hundreds of other hearings. Those
3 include --

4 CHAIRMAN BURTON: How many lifers are there?

5 MS. LAWIN: I don't know today's number.

6 CHAIRMAN BURTON: Must be a ton if you did 2,000
7 hearings.

8 Go ahead.

9 MS. LAWIN: That includes documentation hearings,
10 the additional hearings that I conduct that give inmates a road
11 map toward a rehabilitative future, hearings that chart their
12 progress, hearings to decide whether or not their dates will be
13 rescinded, as well as hearings for inmates who are considered
14 the most serious of offenders.

15 In addition, I have considered requests for
16 compassionate release, pardons and clemency, and have responded
17 to appeals. I've also developed a training manual for new
18 commissioners and helped them through their orientation
19 training.

20 Over the last three-and-one-half years, I've
21 become the commissioner with the most experience dealing with
22 cases of Battered Women Syndrome, and am part of a team that is
23 scheduled to train other BPT employees over the next few
24 months.

25 While conducting my duties as a commissioner, I
26 am always mindful of the significance of my decisions and rights
27 of all parties involved, including inmates, prosecutors, and
28 crime victims. I take great pride in knowing as much as

1 possible in advance about each case and in conducting the
2 hearings in a fair and objective manner. That's important when
3 someone's personal liberty and the public safety are hanging in
4 the balance.

5 I believe it is this experience, knowledge, and
6 record of dedicated service that led Governor Davis to reappoint
7 me, and I hope those same factors will persuade you to endorse
8 that decision.

9 I appreciate the opportunity to address you,
10 respectfully request your support to serve another term, and I'm
11 prepared to answer any questions that you may have.

12 Thank you.

13 CHAIRMAN BURTON: Senator Knight.

14 SENATOR KNIGHT: Thank you.

15 At one time I thought that we had talked about
16 providing information on the Friday before the Monday for you to
17 evaluate as you come to work, the folders for the parolees.

18 Is that not taking place, or did we dispense with
19 that?

20 MS. LAWIN: We did dispense with that. We did
21 try it for a period of time, and it seemed to be --

22 SENATOR KNIGHT: Caused you too much work on the
23 weekend?

24 MS. LAWIN: No, it wasn't that. That was not the
25 issue.

26 The issue really is rescheduling and getting the
27 packets out. It was an expense for CDC; it was an additional
28 work duty for CDC.

1 So, it was attempted and has been dispensed with.

2 SENATOR KNIGHT: Did it help you at all in your
3 evaluation or not?

4 MS. LAWIN: Yes, certainly it does. And -- but
5 to compensate for that process being eliminated, instead we
6 arrive at the prison early on Monday so that we can prepare the
7 cases for the day. In some circumstances we receive -- still
8 receive those packets in advance.

9 SENATOR KNIGHT: Thank you.

10 MS. LAWIN: You're welcome.

11 CHAIRMAN BURTON: Senator Karnette.

12 SENATOR KARNETTE: There was a question. Do you
13 use alternative aids, such as video conferencing, to reduce the
14 need to travel, and is that a good idea? It comes up in courts
15 as well, and I was wondering how you feel about that?

16 MS. LAWIN: Video conferencing is being used very
17 frequently. Not all of the prisons are set up to allow for that
18 process to happen, but where it is set up, we do utilize it
19 primarily with the victim's next of kin and with the district
20 attorneys, where they can go to a local office and not have to
21 travel to the institution.

22 So, it is a cost saving, a time saving device for
23 those parties involved, and we do use it. It's very
24 effective.

25 SENATOR KARNETTE: And you're using it more than
26 in the past?

27 MS. LAWIN: Yes, we certainly are.

28 CHAIRMAN BURTON: Senator Romero.

1 SENATOR ROMERO: Hi.

2 MS. LAWIN: Good afternoon.

3 SENATOR ROMERO: When you are reviewing a file,
4 and when somebody comes before you to have the case heard, how
5 do you factor in their participation in an educational program
6 and their advancement in an educational program in terms of your
7 determination for release?

8 MS. LAWIN: It's a very important factor. It is
9 rather amazing to watch the entire change of attitude in an
10 inmate once they have achieved something like their GED or have
11 gone on to attend college courses, completed college courses.
12 It's a very important factor in their rehabilitation.

13 SENATOR ROMERO: So, you would give a high
14 priority on that?

15 MS. LAWIN: Yes.

16 SENATOR ROMERO: I think that that should be a
17 high factor, but how do we then deal with the issue of the
18 waiting list? We don't have sufficient educational programs.
19 In a sense, programs that we should have that I believe probably
20 do contribute to the declined recidivism rate we're not
21 offering.

22 Is it somehow a system that the inmate is damned
23 if you do and damned if you don't because it's not available?
24 Are we keeping people in longer and paying for them at one end
25 because we're not putting the resources up front for a program
26 that probably we should be doing?

27 MS. LAWIN: The Board of Prison Terms does not
28 hold it them against them if there's not a program for them to

1 participate in.

2 SENATOR ROMERO: But yet it's an important factor
3 in making your determination.

4 MS. LAWIN: It is an important factor, and I
5 think it's important for their progress. But if it's not
6 available to them, and many of the -- there's so many variations
7 of what's available to the prisoners of the different
8 institutions that it's not a standard that they are required to
9 meet. They do not have to get their GED to get a parole date.
10 They do not have to complete college courses to get a parole
11 date.

12 It is just one of the many factors that we
13 consider in suitability, and personally, I believe it's an
14 important one.

15 SENATOR ROMERO: Do you track the data at all in
16 terms of those who have gone through educational programs?

17 MS. LAWIN: No, I have not.

18 SENATOR ROMERO: Is that something that possibly
19 you would consider to be important information?

20 MS. LAWIN: It would be very interesting
21 information.

22 As far as my duties as a commissioner, I don't
23 know that it would assist me in performing my function.

24 SENATOR ROMERO: Thank you.

25 MS. LAWIN: You're welcome.

26 CHAIRMAN BURTON: So, if there is no program
27 available for a person to be into, then that doesn't detract
28 from their suitability for parole?

1 MS. LAWIN: No. Many of the institutions at this
2 point have absolutely nothing to offer the inmates.

3 CHAIRMAN BURTON: I understand that. That's why
4 I was asking the question.

5 And if an individual figures that they don't want
6 to get into a program, that makes them less suitable for parole?

7 MS. LAWIN: I can't say that it makes them less
8 suitable, but it certainly would indicate to me an attitude.

9 I look at inmate and hope that they are a
10 different person from when they came into the institution, that
11 they have learned, and grown.

12 CHAIRMAN BURTON: That's one of the theories of
13 sending them there.

14 MS. LAWIN: Obviously, but it is indicative if
15 they are not participating in programs that are offered of
16 someone who isn't interested in learning and growing.

17 CHAIRMAN BURTON: And that would make them, like,
18 a greater threat to society?

19 MS. LAWIN: Perhaps.

20 CHAIRMAN BURTON: Or perhaps not?

21 MS. LAWIN: Yes.

22 CHAIRMAN BURTON: I am not now, nor have I ever
23 been, a fan of BPT. I think that your reputation as a member is
24 one of the best.

25 What could you recommend that they do to be
26 better prepared for these lifer hearings, because you aren't
27 necessarily dealing with life or death, but you're dealing with
28 whether or not somebody should be suitable to be let out, and it

1 depends on what the Governor's going to do with it.

2 But they used to send them the packets that,
3 unless they were speed readers, they never could have been
4 bought up to snuff on it. You always seem to be very well
5 prepared.

6 What changes in process could be either done by
7 the Board by regulation, or done by us statutorily, to just make
8 them get that information out in time for somebody to be fully
9 aware of the file and make an informed decision, whether it's
10 "yes" or "no," or "we'll look at it later?"

11 MS. LAWIN: I don't know what you could do in
12 terms of regulating that.

13 CHAIRMAN BURTON: When you get it, how far in
14 advance do you get them?

15 MS. LAWIN: It really depends; it is so varied.
16 For instance, the first week of September I'll be working at a
17 facility that's sending me my packets for the first day of work
18 in advance.

19 It really has to be an individual commissioner's
20 responsibility to be prepared and take whatever measures are
21 necessary. I don't know how you can regulate it, because even
22 if you get the packets to them, it's not going to mandate that
23 they study it.

24 CHAIRMAN BURTON: I understand that part.

25 How about the fact that they get the packet in
26 advance? How far in advance do you get the packets?

27 MS. LAWIN: It can be two weeks in advance; it
28 can be the night before.

1 CHAIRMAN BURTON: The night before is absolutely
2 unsatisfactory.

3 It depends on what, the institution or what?

4 MS. LAWIN: And the individual.

5 And Senator Burton, I'm not sure that getting the
6 packets the night before is -- it may be a little misleading to
7 say that because, for instance, on a Monday, we will take our
8 packets back to the hotel for Tuesday's hearings, and prepare
9 Monday evening for the cases on Tuesday, and the same on Tuesday
10 night for Wednesday.

11 CHAIRMAN BURTON: I understand. I personally
12 think it's unsatisfactory.

13 Nobody can make you study for the test. I mean,
14 we understand that.

15 But who prepares the packet for you?

16 MS. LAWIN: The institution staff.

17 CHAIRMAN BURTON: The institution staff.

18 So, it would be up to us to tell the wardens the
19 tell the staff that we want this stuff done, that we want it
20 provided to you at an earlier point.

21 Because I know that the DAs get it in advance;
22 the attorneys get it in advance. I doubt if they're getting it
23 just 12 hours or 24 hours.

24 Anyway, we should direct that to the various
25 wardens and ask them how and why?

26 MS. LAWIN: Yes, they are the caretakers of the
27 files.

28 CHAIRMAN BURTON: You have to have the

1 documentation hearings for indeterminate lifers, you know, to
2 let them know, like, if the course is up, they're better off
3 taking it than not.

4 How much of a backlog do you know of cases
5 waiting for the documentation hearings?

6 MS. LAWIN: I don't know what the current status
7 is of the backlog.

8 CHAIRMAN BURTON: What do you think? Big,
9 little, none, what?

10 MS. LAWIN: Big.

11 CHAIRMAN BURTON: Why would that be do you think?

12 MS. LAWIN: Because the focus has been on
13 clearing up the backlog on lifers as well as appeals. And so,
14 there's been less focus on the documentation hearings.

15 CHAIRMAN BURTON: I mean, if you had the
16 documentation hearings -- and I have a theory about people that
17 are in jail for life, that they probably aren't the sharpest
18 pencils around -- that basically this would kind of tell them
19 what they ought to do to get their act together to possibly be
20 eligible, right, these things?

21 MS. LAWIN: Yes. And that's why their first
22 documentation hearing after they've been in for three years is
23 very important to give them that road map.

24 CHAIRMAN BURTON: But is there a backlog on that
25 one?

26 MS. LAWIN: I think all of them. Those, and then
27 they're held every three years after that.

28 CHAIRMAN BURTON: It's too big, too many people

1 there or something that you're dealing with?

2 MS. LAWIN: Yes.

3 CHAIRMAN BURTON: One of the concerns that many
4 of us had, and I think that includes many Republicans as well as
5 Democrats, is on parole revocations for technical violations, so
6 to speak. They cost a ton of money. These people get revoked
7 for maybe hanging out with a guy they grew up with that, you
8 know, was either in the same neighborhood, therefore the same
9 gang. Maybe they tested dirty in a bottle, or whatever.

10 They go back for like six months, which costs a
11 ton of money, just the six months plus whole process.

12 Has anybody, or have you just with your expertise
13 both in law enforcement and doing this, given any thought to
14 what we could do in the alternatives for really technical
15 violations?

16 And the other theory with me is if somebody comes
17 out and commits a crime, they ought to just, you know, be right
18 back in front of a judge and jury and a DA, and sent back again.

19 But our Corrections Department spends a ton of
20 money on technical parole violations and people going back for
21 basically chump-change time.

22 Do you have any thoughts on that?

23 MS. LAWIN: Well, I'm supportive of, perhaps,
24 some of those going into community-based programs rather than
25 being revoked back to the prison system, especially those that
26 are drug-related. I think there are better ways for them to
27 become rehabilitated on the outside.

28 CHAIRMAN BURTON: How about even the associating

1 with somebody, let's say a gang member, but actually you're
2 associating with somebody that could have been your cousin, or
3 somebody you grew up with in the neighborhood. Not that that's
4 right, but it's pretty tough if you're going back home not to
5 bump into some of these people, just purely technical
6 violations.

7 It's been our experience that the Board almost
8 goes over backwards to just keep revoking people, and it's
9 costing a ton of money, and not doing much of any good anyway.

10 Again, are those procedures that have to be set
11 up by the Legislature, or could the Board of Prison Terms set up
12 a way of dealing so there's even grades of technical violations,
13 some of which really the person might/should have to be back,
14 and some that just are just kind of a waste of time and money
15 sending them back?

16 MS. LAWIN: That's really not something that I'm
17 involved in, but I believe that the Board, CDC and YACA are all
18 reviewing that entire process now.

19 CHAIRMAN BURTON: By the time YACA gets finished
20 with reviewing something, all the lifers will be dead and/or out
21 of prison.

22 But you're on the Board, so you could be involved
23 in that.

24 MS. LAWIN: As a commissioner, likely not.
25 That's more administrative, essentially.

26 CHAIRMAN BURTON: Yeah, doesn't somebody work for
27 the Board?

28 MS. LAWIN: Yes, the entire staff.

1 CHAIRMAN BURTON: Part of the people in the
2 administration?

3 I would just suggest that you bring that, you
4 know, with your background, just bring it up for discussion.
5 Maybe they think the way they're doing it's fine, but we are
6 running out of money in the state. We cut fairly dramatically
7 the Corrections budget. It'll be cut probably more. So, they
8 ought to be able to really deal with the bad people and the
9 troublemakers and keep them off the street, and not worry about
10 some of these technical people.

11 I just think it would behoove all of us if you
12 bring that up for discussion. And if they all say, "Well, we
13 don't really want to deal with that; that's somebody else," then
14 they don't. But I think that that would be a very, very helpful
15 thing.

16 Everybody believes you've done an excellent job
17 there.

18 MS. LAWIN: Thank you.

19 CHAIRMAN BURTON: As I said, I have tremendous
20 concerns with the whole Board, always have, and one time took
21 them right out of the budget because we don't think they get
22 enough preparation on the lifer stuff; we worried about the
23 Battered Women stuff; worried about the supervision of the
24 deputy commissioners; we worry about the parole revocations.

25 I know you're just a commissioner, but it's a
26 full-time job. I know, because my brother had that for years.
27 It's a full-time salary. You have to travel to places, I know,
28 that you never want to go, like up to Susanville.

1 But it would just seem to me that because of your
2 background, and because I think your knowledge of this stuff,
3 that you can take on additional responsibility and try to get
4 some of your commissioners on the ball and figure out ways to do
5 things, because just we can't -- we're lucky to afford putting
6 really bad people in prison, and it's really stupid to put
7 people in for six months who got out because they're not even
8 committing a crime. They're just violating some rule. There
9 ought to be alternatives.

10 Do you have any idea of the percentage of people
11 brought up on technical violations that they say, "Aw, give them
12 pass and a warning?"

13 MS. LAWIN: I'm sorry, I do not, but I'll be
14 happy to begin that discussion with the Board.

15 CHAIRMAN BURTON: It'd just be helpful and
16 beneficial to the process.

17 Do you have any family with you here?

18 MS. LAWIN: No, I don't.

19 CHAIRMAN BURTON: Any witnesses in support?
20 Witnesses some opposition?

21 SENATOR ROMERO: Move the nomination.

22 CHAIRMAN BURTON: Moved by Senator Romero, call
23 the roll.

24 SECRETARY WEBB: Senator Karnette.

25 SENATOR KARNETTE: Aye.

26 SECRETARY WEBB: Karnette Aye. Senator Knight.

27 SENATOR KNIGHT: Aye.

28 SECRETARY WEBB: Knight Aye. Senator Romero.

1 SENATOR ROMERO: Aye.

2 SECRETARY WEBB: Romero Aye. Senator Burton.

3 CHAIRMAN BURTON: Aye.

4 SECRETARY WEBB: Burton Aye. Four to zero.

5 CHAIRMAN BURTON: Congratulations.

6 MS. LAWIN: Thank you.

7 CHAIRMAN BURTON: Matt McKinnon.

8 Senator Alarcon.

9 SENATOR ALARCON: Thank you, Mr. Chair.

10 If I could be brief, I'd actually like to speak
11 on both Mr. McKinnon and McNally.

12 When the Labor and Workforce Development Agency
13 was established, it was done so to ensure that we had the top
14 quality of California's representatives to ensure that our
15 workforce was growing, developing, and ensuring that our working
16 families had the best benefits they could be provided, and to
17 ensure also that we are merging our training responsibilities
18 within the concept of what is now the Labor and Workforce
19 Development Agency with our educational responsibilities.

20 So, with the nominations of Matt McKinnon and
21 Jack McNally, I can think of two no better qualified people.
22 These are long time champions, 30 years each in fighting for
23 working families throughout the State of California.

24 So, I just wanted to endorse their nomination, to
25 reiterate that, in fact, our Labor and Workforce Development
26 Agency does need to take on this whole notion of developing our
27 workforce, particularly during these economic times. We have to
28 ensure that the workforce, as we look forward, is the most

1 capable and qualified to address the needs in the workplace of
2 the future.

3 So, I just wanted to commend both Matt McKinnon
4 and Jack McNally for their life-long work, but also to encourage
5 you to support their nomination.

6 Thank you.

7 CHAIRMAN BURTON: Thank you, Senator.

8 Matt.

9 MR. McKINNON: Senator Burton, thank you and
10 thank you to the full Committee for having me before you today.
11 It is an honor as a citizen to be in a confirmation proceeding.

12 The position that I was appointed to by Governor
13 Davis is the Deputy Secretary for Employment and Workforce
14 Development. The primary responsibilities have to do with
15 coordination of the training and workforce development
16 activities within the Agency.

17 I also eventually will have responsibility for
18 the workers comp, the unemployment system, the disability
19 system. But currently my assignment has focused on workforce
20 development, primarily the Workforce Investment Board, ETP, and
21 the apprenticeship programs within the state.

22 The initial assignment is to work on coordination
23 within the Agency, within the training programs. And in short
24 order, we're going to be starting to work more and more with the
25 community colleges and the Department of Education on an
26 all-rounded approach to coordinating the various training
27 programs available.

28 I'm sure you want me to shorten this and make

1 sure it moves.

2 I think I bring to the job experience at
3 everything, from the shop floor level to as a union leader at
4 various levels, experience with pretty much every training
5 program that has occurred within the state in the private sector
6 since the mid-'70s. So, that would be SEATA, apprenticeships,
7 ETP, JTPA, the WIA, and the community colleges Ed Net programs.

8 With that, I'd be happy to answer any questions.

9 CHAIRMAN BURTON: Senator Knight.

10 SENATOR KNIGHT: Matt, you've taken on a
11 significant responsibility. When I look at the position
12 background, it talks about,

13 "... the deputy strategically
14 plans, organizes, facilitates,
15 and provides oversight and
16 direction to the Job Services,
17 Unemployment Insurance, Workforce
18 Development, Apprenticeship
19 Standards, Disability Insurance,
20 and Workers' Compensation
21 programs."

22 How do you propose to do all of that?

23 MR. MCKINNON: So far, I have really, really good
24 staff. Really good.

25 It's a big job, and frankly the workers' comp
26 piece is actually being worked by the Acting Secretary. It's
27 big enough --

28 CHAIRMAN BURTON: Who is the Acting Secretary?

1 MR. McKINNON: His name is Herb Schultz.

2 SENATOR KNIGHT: My question was a little bit
3 facetious, but the next part of it was going to be: What are
4 you doing in terms of workers' compensation, and you begin to
5 talk about that.

6 But are you coming up with any kinds of reforms
7 that will work, in essence?

8 MR. McKINNON: I think that the administration
9 and the Acting Secretary could better answer that question, but
10 the approach, as I understand it, is that employers paid a lot
11 into our system, and workers don't receive a great deal. And a
12 very thorough conversation is going on in this House and in the
13 Assembly and with the administration on a number of bills that
14 are in conference to sort of deal with what's in between a high
15 premium for an employer and what are increasingly better
16 benefits for workers, but that have historically been pretty low
17 throughout, if compared to other states.

18 So, I think -- and clearly, there's a whole issue
19 about de-regulation of the industry and what harm that caused.

20 Does that help?

21 SENATOR KNIGHT: Well, you know, as you indicate,
22 the premiums are higher than anyplace else in the country, and
23 the benefits are lower than anyplace else.

24 Are you working to get something to the
25 Legislature or to interface with the conference committees that
26 have been established to work with Workers' Compensation?

27 MR. McKINNON: I'm not directly involved,
28 Senator, but my understanding is that the Agency is doing that

1 currently.

2 CHAIRMAN BURTON: Senator Karnette.

3 SENATOR KARNETTE: Matt, I've known you for many
4 years. I notice one of the questions has to do with your
5 ability to oversee, and have a deep knowledge of all these
6 workforce programs.

7 From what I understand, you've been involved in
8 them in many different ways. I've known you a long time.

9 Would you say your past experiences will be a big
10 help here.

11 MR. McKINNON: Yes, yes, I would.

12 [Laughter.]

13 SENATOR KARNETTE: I'm doing a leading question
14 here.

15 [Laughter.]

16 MR. McKINNON: Senator, it's actually a kick
17 within the Agency, because I've seen some of these programs on
18 the ground rather than from the bureaucracy.

19 SENATOR KARNETTE: That's really what I meant.

20 But I know from what union people, you've been on
21 the ground and you've seen these things. It would seem to me
22 you'd be very well informed, and it'd be easier for you than for
23 some of us.

24 MR. McKINNON: I'm not going to argue with you.

25 CHAIRMAN BURTON: Senator Romero.

26 SENATOR ROMERO: Good to see you.

27 MR. McKINNON: Good to see you, too.

28 SENATOR ROMERO: I have just a couple of

1 questions, if you'd address.

2 The first one is, we're going to see for many
3 Californians a coming to the end of the five-year period in
4 Welfare to Work. Many of these are women.

5 If you could, address what you intend to do to
6 help transition many of these Californians who have been in the
7 Welfare to Work Program, and especially in light of the current
8 economic situation, how you might foresee their possibilities
9 and their opportunities for productive employment in our state
10 economy?

11 Then the second question would be if you could
12 address some of the concerns that many of us have raised with
13 respect to the apprenticeship programs, and how it might be a
14 little bit more diverse in terms of opening up to women and to
15 ethnic minority groups?

16 So, if you could, address those two questions and
17 your plans as member of this Agency.

18 MR. McKINNON: With respect to Cal Works coming
19 to an end and not being done, I mean, we're never done in a
20 certain sense. We have had some success, some fair success,
21 probably, compared to history at helping people find
22 employment. And I would anticipate that we would continue to
23 work in the same fashion.

24 Now, I think it's really fair when we talk this
25 through, the resource questions are incredible. I don't know
26 how well it's known, but the federal funding stream for the
27 Workforce Investment Act has been reduced in half over the last
28 three-four years. So, we are actually facing larger and larger

1 demands, both due to the economy and due to people using up
2 their benefits, with less resources. We have more to do with
3 less federal funding.

4 And the federal government has a pot of \$33
5 billion dollars that employers have paid into that they are not
6 using. They're using it to hide the deficit.

7 SENATOR ROMERO: You're having to be more
8 aggressive in terms of trying to get that money.

9 MR. McKINNON: On your second question in terms
10 of apprenticeship diversity, both in terms of women and ethnic
11 diversity, one of the things we've been looking at very hard is
12 using Workforce Investment Act youth money and work with pre-
13 apprentice ship programs. Oftentimes it's sort of targeting of
14 diverse neighborhoods.

15 There's some really good work going in some parts
16 of the state where young people are involved in home building or
17 in other forms of construction as a pre-apprenticeship activity,
18 and then move right into the apprenticeship program. There's
19 been a lot of success at that.

20 And when we look at, you know, building a new
21 university where there's going to be a need for housing or -- I
22 mean, there's all sorts of opportunities that we could try to
23 position to give young people an opportunity to get ready for an
24 apprenticeship and be ready to go in terms of literacy and math
25 skills, that kind of thing.

26 SENATOR ROMERO: Thank you.

27 CHAIRMAN BURTON: So, the Acting Director is who?

28 MR. McKINNON: The Acting Secretary is Herb

1 Schultz.

2 CHAIRMAN BURTON: He was in place of the other
3 Acting Secretary, Steve Schmidt.

4 MR. McKINNON: That's correct.

5 CHAIRMAN BURTON: So, we are going to today
6 confirm two either unders or deputies.

7 MR. McKINNON: We're deputies.

8 CHAIRMAN BURTON: Deputy Unders, and we don't
9 have a full Secretary?

10 MR. McKINNON: I understand the question; that's
11 correct.

12 CHAIRMAN BURTON: Which is not your fault or your
13 problem, which is one of the reasons that, on a very strong
14 bipartisan basis, we put a bill in requiring the executive
15 department to make appointments, full appointments, within
16 within a time certain or lose the ability to do that.

17 What's the background of the new Acting, do you
18 know?

19 MR. McKINNON: He came out of managed care,
20 managed care here in California. Prior to that, the health care
21 legislative in Washington, D.C.

22 CHAIRMAN BURTON: He's absolutely well suited to
23 be Director of Health Services.

24 Did you bring your family with you, Matt?

25 MR. McKINNON: Not today.

26 CHAIRMAN BURTON: Witnesses in sport, briefly.
27 And if you want to both speak for Matt and Jack McNally, you can
28 do it. I know Art Carter's waiting to just do McNally.

1 MS. HAMILTON: Virgina Hamilton, California
2 Workforce Association in support of Matt McKinnon.

3 CHAIRMAN BURTON: Thank you.

4 MR. RANKIN: Tom Rankin, California Labor
5 Federation, in support of both Matt McKinnon and Jack McNally,
6 both of whom have the correct background for these jobs.

7 Thank you.

8 MR. BALGENORTH: Bob Balgenorth, State Building
9 Trades, sporting both Jack McNally and Matt McKinnon.

10 CHAIRMAN BURTON: Thanks, Bob.

11 MR. WETCH: Scott Wetch, on behalf of the State
12 Association of Electrical Workers and the California State Pipe
13 Trades Council in support of both Matt McKinnon and Jack
14 McNally.

15 Thanks.

16 MR. PEARSON: Lee Pearson in support of both
17 Jack and Matt, International Association Machinists and
18 Aerospace Workers.

19 MR. BROAD: Barry Broad on behalf of the
20 Teamsters United Food and Commercial Workers in strong support
21 of Matt McKinnon and Jack McNally.

22 MR. KROPKE: Marvin Kropke, Business
23 Manager/Financial Secretary, IBW Local 11 in Los Angeles and
24 Executive Secretary, California State Association of Electrical
25 Workers, urging your strong support of both.

26 Thank you.

27 CHAIRMAN BURTON: Thank you.

28 MR. CREMINS: Tim Cremins, Operating Engineers,

1 in support of both Matt McKinnon and Jack McNally.

2 CHAIRMAN BURTON: Thank you.

3 More support.

4 MS. FORTIER: Dorothy Fortier, President of the
5 Alameda Central Labor Council and also Secretary-Treasurer of
6 the Electrical Workers Minority Caucus, Assistant Business
7 Manager of IBW Local 1245 and National Board Member of Coalition
8 of Labor Union Women, in support of Jack McNally.

9 MR. CARTER: Art Carter in support of both,
10 speaking for the California Pipe Trades Council, the IBW, the
11 Sheetmetal Workers.

12 I've know Jack McKinnon [sic] -- McNally since
13 1969. He'll do an excellent job.

14 CHAIRMAN BURTON: Which one --

15 MR. CARTER: That was a misstatement, and only
16 you would know who that person was.

17 CHAIRMAN BURTON: I don't think either of the
18 people knew who they were.

19 So, you're supporting both Matt McKinnon and Jack
20 McNally.

21 I say this, that your associate did it infinitely
22 better.

23 [Laughter.]

24 CHAIRMAN BURTON: Any witnesses in opposition?
25 I'll move the nomination.

26 SECRETARY WEBB: Senator Karnette.

27 SENATOR KARNETTE: Aye.

28 SECRETARY WEBB: Karnette Aye. Senator Knight.

1 SENATOR KNIGHT: Aye.

2 SECRETARY WEBB: Knight Aye. Senator Romero.

3 SENATOR ROMERO: Aye.

4 SECRETARY WEBB: Romero Aye. Senator Burton.

5 CHAIRMAN BURTON: Aye.

6 SECRETARY WEBB: Burton Aye. Four to zero.

7 CHAIRMAN BURTON: Congratulations, Matt.

8 MR. McKINNON: Thank you.

9 CHAIRMAN BURTON: Jack McNally.

10 MR. McNALLY: Good afternoon and thank you. My
11 name is Jack McNally. I was appointed as Deputy Secretary with
12 the responsibility for wage enforcement and fair employment
13 practices at the Labor and Workforce Agency almost five months
14 ago.

15 My qualifications for this position that I hold
16 come from my background. I served an apprenticeship and became
17 a journeyman lineman, constructing and maintaining high voltage
18 power lines. After spending ten years in this industry, I
19 became involved in my union and was appointed as a full-time
20 representative for the International Brotherhood of Electrical
21 Workers, Local Union 1245, which is located in Northern
22 California.

23 I have 30 years experience in union work,
24 including 21 years as head of the largest Electrical Workers
25 Local in California. As such, I was periodically involved with
26 the Department of Industrial Relations on such issues as
27 prevailing rates, safety and standards, workers' comp, and other
28 workplace issues. I have experience in worker representation,

1 elections, unfair labor practices, and the collective bargaining
2 process.

3 We had collective bargaining agreements with over
4 50 different employers, and developing a cooperative
5 relationship was most important.

6 My background and experience qualifies me for the
7 position I hold, and if given the opportunity, I'm anxious to
8 advance the goals and objectives of the Labor and Workforce
9 Development Agency.

10 Thank you, and I am available for questions.

11 CHAIRMAN BURTON: One question. The public
12 media report increase in fraudulent UI claims that are actually
13 traceable to payroll and personnel record theft from employers.

14 Are you familiar with that type of thing
15 happening?

16 MR. McNALLY: Somewhat familiar, yes.

17 CHAIRMAN BURTON: What would that be?

18 In other words, they go into an employer's, take
19 his records, and then falsify them and go down to the UI office,
20 or what?

21 MR. McNALLY: The problem that arises is where
22 the reporting by employers on their employees, the number of
23 employees is not correct, so that the number of employees that
24 actually get reported is different from what the premium that
25 the employer is paying.

26 CHAIRMAN BURTON: What would it be that there's
27 theft of the payroll and personnel records? How would that
28 compute into UI fraud?

1 MR. McNALLY: I'm not familiar with that, for the
2 record.

3 CHAIRMAN BURTON: Neither am I, hence the
4 question.

5 MR. McNALLY: No, I don't understand that.

6 CHAIRMAN BURTON: Neither do I.

7 Nettie, do you know who prepared this question?

8 MS. SABELHAUS: John Dillon.

9 CHAIRMAN BURTON: Maybe he could explain it to
10 us.

11 I mean, I can understand fraud, but I can't
12 understand how people going in and stealing records --

13 MR. McNALLY: I'm not familiar with that at all.

14 CHAIRMAN BURTON: Senator Knight.

15 SENATOR KNIGHT: No questions.

16 CHAIRMAN BURTON: Senator Karnette.

17 SENATOR KARNETTE: You answered the question
18 about how prepared you were. That was my question. So, I think
19 you did a good job.

20 CHAIRMAN BURTON: Senator Romero.

21 SENATOR ROMERO: I have one question.

22 Do you have to be a "Mc" to be appointed?
23 McKinnon and McNally.

24 [Laughter.]

25 MR. McNALLY: You'll have to ask somebody else
26 besides me.

27 CHAIRMAN BURTON: Anyway, what it is, according
28 to Susie, is that somebody would get the records. It would then

1 have the name, address, Social Security number. Call into EDD,
2 and then say basically, "Don't send the check to 1006 L Street.
3 Send it to my new address."

4 MR. McNALLY: That's ID fraud.

5 CHAIRMAN BURTON: Yeah, it's interesting.

6 Senator Romero.

7 SENATOR ROMERO: I just asked if you had to be a
8 "Mc" to be appointed.

9 CHAIRMAN BURTON: Yes, I would hope that every
10 now and then.

11 [Laughter.]

12 Did you have any family with you, Jack?

13 MR. McNALLY: Yes, I do. I would like to do
14 that.

15 My daughter, Donna Meaker; my granddaughters,
16 Rebecca and Rachel.

17 CHAIRMAN BURTON: Any witnesses in opposition?

18 Hearing none, move the nomination.

19 SECRETARY WEBB: Senator Karnette.

20 SENATOR KARNETTE: Aye.

21 SECRETARY WEBB: Karnette Aye. Senator Knight.

22 SENATOR KNIGHT: Aye.

23 SECRETARY WEBB: Knight Aye. Senator Romero.

24 SENATOR ROMERO: Aye.

25 SECRETARY WEBB: Romero Aye. Senator Burton.

26 CHAIRMAN BURTON: Aye.

27 SECRETARY WEBB: Burton Aye. Four to zero.

28 CHAIRMAN BURTON: Congratulations.

1 MR. McNALLY: Thank you very much.

2 CHAIRMAN BURTON: Thanks, Jack.

3 Nancy Sutley.

4 MS. SUTLEY: Good afternoon, Mr. Chairman,
5 Members of the Committee. I'm Nancy Sutley, here as a member of
6 the State Water Resources Control Board. Very pleased to be
7 here.

8 I'm very excited about the appointment to the
9 State Water Board. I have ten years of experience in
10 environmental agencies, both at the federal level and at the
11 state level. Spent six years at US EPA in the Clinton
12 administration, and for the last four years have been a Deputy
13 Secretary at the California Environmental Protection Agency.

14 The State Water Board deals with an issue very
15 critical to Californians, the quality of our water. There are a
16 lot of challenges, both in our urban areas and our rural areas
17 that we have an opportunity to address, both in the short-term
18 and in the long-term, and I think the Board is very well
19 prepared to do that.

20 I would also want to make as one of my goals
21 trying to make the Board more transparent and open to the
22 public, and to provide additional opportunities through outreach
23 and education to get the public involved in the work of the
24 Board.

25 Thank you for opportunity to appear before you,
26 and I'd be happy to answer any questions.

27 CHAIRMAN BURTON: Senator Knight.

28 SENATOR KNIGHT: No questions.

1 CHAIRMAN BURTON: Senator Karnette.

2 SENATOR KARNETTE: No questions.

3 CHAIRMAN BURTON: Senator Romero.

4 SENATOR ROMERO: You serve as a member of the San
5 Gabriel Conservancy; is that correct?

6 MS. SUTLEY: I was the Cal EPA Secretary's
7 designee on the board for about the first year of its existence,
8 at the time that the board was getting up to speed, and have
9 since then turned it over to somebody at our regional board in
10 Los Angeles as they've gotten into more local projects.

11 But I was there at the beginning, and I
12 understand they're doing great work in getting projects
13 identified, and out the door, and funded.

14 SENATOR ROMERO: Excellent. We very much want to
15 see it succeed. A good bulk of it is in my Senate district, and
16 I look forward to whatever participation you can bring to move
17 it forward.

18 MS. SUTLEY: Thank you.

19 CHAIRMAN BURTON: How would the Board, if you
20 would know, propose to deal with the \$14 million reduction for
21 their regulatory programs on keeping water clean?

22 MS. SUTLEY: Well, the Board is looking at a
23 significant number of layoffs. We are looking at reduction in
24 positions, 160. Some of that would be eliminating vacancies,
25 and the rest would be through layoffs.

26 We are trying to prioritize our work, obviously,
27 and also to prioritize or try to take the reductions, taking
28 into consideration what are the greatest threats to water

1 quality, and to maintain those programs.

2 Our total Maximum Daily Load Program is a high
3 priority for the Board, and we are trying to maintain as much
4 funding of that as possible.

5 In addition, we were authorized under AB 10X to
6 increase our fees to cover some of the General Fund reduction
7 and also provide for additional money for some monitoring. We
8 have held public meetings on that and would have the regulations
9 in place, emergency regulations in place, at the time the bill
10 becomes effective so we that can keep our work going.

11 CHAIRMAN BURTON: Did you have any family with
12 you?

13 MS. SUTLEY: I just have some of my colleagues
14 from the Board, Chairman Art Baggett, and some of my colleagues
15 from Cal EPA.

16 CHAIRMAN BURTON: Any witnesses in support?

17 MR. BECKMAN: David Beckman, Natural Resources
18 Defense Council in support.

19 CHAIRMAN BURTON: Witnesses in opposition?

20 Move the nomination.

21 SECRETARY WEBB: Senator Karnette.

22 SENATOR KARNETTE: Aye.

23 SECRETARY WEBB: Karnette Aye. Senator Knight.

24 SENATOR KNIGHT: Aye.

25 SECRETARY WEBB: Knight Aye. Senator Romero.

26 SENATOR ROMERO: Aye.

27 SECRETARY WEBB: Romero Aye. Senator Burton.

28 CHAIRMAN BURTON: Aye.

1 SECRETARY WEBB: Burton Aye. Four to zero.

2 CHAIRMAN BURTON: Congratulations to you.

3 MS. SUTLEY: Thank you.

4 [Thereupon this portion of the
5 Senate Rules Committee hearing
6 was terminated at approximately
7 2:35 P.M.]

8 --ooOoo--

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

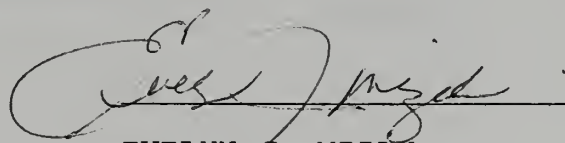
CERTIFICATE OF SHORTHAND REPORTER

I, EVELYN J. MIZAK, a Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing transcript of the Senate Rules Committee hearing was reported verbatim in shorthand by me, Evelyn J. Mizak, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said hearing, nor in any way interested in the outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of August, 2003.


EVELYN J. MIZAK
Shorthand Reporter

STATEMENT OF GOALS
of
KAREN GETMAN
Appointee to Alcoholic Beverage Control Appeals Board

My goal for the ABC Appeals Board is to ensure that the Board conforms to its statutory mandate. As a quasi-judicial administrative review board, we play an important role in reviewing decisions by the Department of Alcoholic Beverage Control. We should not rubber-stamp decisions by the Department, and in my short tenure as the only attorney member of the Board, I believe I have helped ensure that the Department's decisions receive a vigorous review. I also am committed -- as are my fellow Board members -- to ensuring that the individuals whose interests are most directly at stake in licensing and disciplinary matters receive a fair and respectful hearing before the Board.

At the same time, Board members should not substitute their independent judgment for that of the Department on matters such as credibility and penalty, so long as the Department has exercised its discretion within the appropriate statutory bounds. My goal is to maintain the Board's respectful posture toward the Department, without compromising our important role in providing an independent review.

As a former agency official, I am keenly aware of the responsibility Board members have to make sure that the ABC Appeals Board operates in an efficient, economical and fair manner. I am comfortable with the current Board members and staff, and believe we share the same visions for the agency.

I very much appreciate the opportunity to continue serving the citizens of this State.

STATEMENT OF GOALS

Short Term:

I would like to use my business expertise from the past 35 years to make our CEQA process less costly and considerably less time consuming while continuing to safe guard the environment.

Long Term:

Design a method of funding that is predictable and meets the long-term transportation needs of the State.

Determine what happens to the State gas tax if we go to alternative fuels. That may be far in the future, but we should begin wrestling with that problem today.

JUL 23 2003

California Transportation Commission Confirmation Questions

Background

1. What specific experience in your background qualifies you to serve on the California Transportation Commission (CTC)? Please describe any specific work you've performed in the area of transportation planning or financing, including any service on relevant local, state or federal commissions, boards or task forces.

From 1994 to 1997, I served as the Chair of Tri-Valley Business Council Transportation Committee. This Committee addressed such issues as toll roads, Bay Area Rapid Transit (BART) expansion to the Tri-Valley area and obtaining matching federal funds for expansion of Interstates 580 and 680.

In 1997 I was appointed to serve on the Alameda County Transportation Authority Expenditure Plan Development Committee which was instrumental in the passage of Measure B instituting the one-half cent sales tax.

In 2000 I served on the transportation sub-committee of the Governor's Commission for the 21st Century as well as Senator John Burton's transportation committee.

2. What are your top priorities for your tenure on the California Transportation Commission?
 - a. Establish a dedicated long-term revenue stream for transportation so that our capital improvements become predictable.
 - b. Streamline processing of projects – less paper and more money available for capital improvements.

Transportation Funding

3. The cash balances in the state highway account (SHA) and the Traffic Congestion Relief Fund (TCFG) are dangerously low. In fact, a recent report by the state auditor expressed concern that projects in both the STIP and the TCRPK have been delayed, further degrading the state's aging infrastructure. Do you have any recommendations on how the state could ensure a more stable source of revenue for transportation purposes?

I would recommend we review how we fund transportation. One way to increase funding is to charge rent or royalties for private enterprise using public right-of-way. An example would be a rent or royalty for fiber optic lines in State right-of-way.

JUL 23 2003

4. What role do you believe local governments can or should play with regard to their financing responsibilities to transportation projects?

Local governments can act as a partner in helping secure funds to match state and federal funds for projects that benefit local concerns.

5. Local sales taxes for transportation are expiring. The Governor's Commission on Building for the 21st Century includes a recommendation to lower the vote threshold for voter approval of local option sales tax from the 2/3 requirement to 55 percent. What are your views on the recommendation?

I was on the Governor's Commission vocally promoting this concept. I would prefer 50% plus one.

Transportation Planning

6. Aside from additional funding, are there other strategies the state should pursue to improve mobility?

We need to study better ways to improve the movement of goods and commerce. The Alameda Corridor project is a move in the right direction. Discussions at the Port of Oakland to move containers by barge to a central distribution point along the Sacramento or San Joaquin Rivers need to be pursued.

7. As one with an extensive background in housing development, could you explain how land-use planning for housing affects the type of transportation infrastructure that gets built? What should be done to improve planning that might result in a more efficient use of the limited dollars available for infrastructure investment?

Unfortunately, our transportation policies follow the "squeaky wheel" syndrome. Instead of acting and planning for growth we react to it. We need to provide incentives to employers to place jobs where we can provide the housing and plan for transportation at the same time. Restrictive local housing policies force people to commute long distances to find acceptable housing to meet their needs. General Plan reform is needed to put teeth in our housing policy.

1. **What do you hope to accomplish during your term as a member of the Board of Prison Terms? Please provide a brief statement of your short and long-term goals.**

My most immediate goal is to conduct parole suitability hearings as objectively and professionally as possible.

As the BPT Commissioner with the most experience regarding Battered Women's Syndrome, I would like to contribute to expand the training of Commissioners and Deputy Commissioners on this subject. In the long-term, my goals are to develop an alternative process for documentation hearings and broader implementation of the Model Board Report system for parole hearings.

Lifer Parole Questions

1. **What is the current backlog of cases awaiting parole consideration hearing?**

The current "backlog" of parole consideration hearings, as defined by SB 778, is 705 as of August, 2003. In slightly more than two years since SB 778 was enacted, the BPT has eliminated a backlog of over 1,500 cases. With the use of panels comprised of two commissioners rather than three, the BPT has accelerated the pace of hearings and has, in fact, conducted a record number of hearings for two consecutive years.

In 2002, the BPT conducted 4,826 parole suitability hearings, two and one half times as many as three years ago before SB 778 was enacted. The hearings total for 2001 was 3,638, also a record. So far in 2003, the BPT has conducted approximately 2,500 hearings, even though we have had some resignations among Commissioners and one has, until recently, been on an extended medical leave.

2. **Please provide the number of hearings in which you have participated. Please note the number conducted on Fridays.**

In the three and one-half years I have been a Commissioner on the Board of Prison Terms, I have been responsible for 2,015 parole suitability hearings. Hearings are scheduled on most Fridays, which I consider a normal work day. In the last year, I believe I have conducted approximately 30 hearings on Friday.

In some instances, parole suitability hearings that were initially scheduled for Friday have been moved up to other days in the week when it has been more convenient and less costly for inmates' attorneys, District Attorneys and prison staff and where all the parties agree to it. My workload on Friday often includes alternative work projects, such as documentation hearings or preparation for recession hearings, which by itself can take up to 8 hours.

AUG 12 2003

3. **Please provide the number of times you voted for parole suitability (including en banc hearings) and the number of votes for unsuitability, broken down by 1, 2, 3, 4, and 5 year denials.**

I have granted parole dates, or reaffirmed existing dates, on 97 occasions. As for denials; I have issued 680 for one year; 675 for two years; 410 for three years; 180 for four years and 70 for five years.

4. **What is your view of live video-conferencing in parole consideration hearings? Are there legal or practical obstacles? Do you think it would be useful to allow testimony from victims or districts attorney via video conferencing? Does the BPT and the CDC currently have the technology available to permit such testimony?**

I support the use of videoconferencing where it is available. It can be more convenient and less costly for crime victims and Districts Attorney who otherwise must travel to the hearings.

The Board of Prison Terms currently uses videoconferencing where it is available and is working with the California District Attorney's Association and the Department of Corrections to expand its use. A recent meeting to discuss our progress, which itself was conducted via videoconferencing, attracted over 50 participants, some of whom participated from the convenience of their offices in Fresno, San Diego, and Los Angeles.

Since January, 2001, the BPT has conducted 360 hearings by videoconference and that number is increasing as we make wider use of this option. Currently, 16 prisons are capable of conducting hearings by videoconference. In addition, many county District Attorney offices also provide videoconference equipment.

There are some obstacles to wider use of videoconferencing and we are working with the CDC to resolve them where it is possible. The video equipment in some institutions is dedicated to other uses, such as arraignments and immigration hearings. In some instances, the equipment is physically located in a part of the institution that makes it inaccessible for parole hearings. One of the larger obstacles is the fact that not all the institutions have technical staff trained in the use of video equipment to support videoconferencing.

It should be noted that the videoconference equipment is not owned or controlled by the BPT, but is owned and operated by the Department of Corrections, which is responsible for scheduling its use.

5. Are there other issues related to life parole that you care to discuss or share with the committee?

The current process of conducting documentation hearings for lifers could be revised to make more efficient use of the state's resources. Information presented in the inmate's initial documentation hearing, which is conducted three years after incarceration, could be presented in a more cost-effective manner, perhaps by videotape. Subsequent hearings could be eliminated until closer to the inmate's Minimum Eligible Parole Date (MEPD), when the guidance given the inmate would have more practical value.

6. The Rules Committee has been concerned about the amount of time Commissioners have to prepare for parole hearings, including the time to review the inmate's files and board packets. How much time do you have to review materials in advance of life parole hearings? When do you usually prepare? What, if anything, would you do to improve the process so that Commissioners and deputy commissioners are better prepared?

I arrive extra early on Monday mornings at the prison to review files for that day's hearings and I do not start them until I am adequately prepared. Each night for the rest of the week, I spend two to three hours back at the hotel reviewing files for the next days hearings, after conducting hearings all day at the prison. On occasion, when it's logistically possible, I pick up files at the prison in advance to review at home on the weekend.

7. How could the information you receive in Board packets be improved?

The Board of Prison Terms and the Dept. of Corrections has developed a Model Board Packet to insure that they include all of the same information and are uniformly organized to conduct a hearing. The model is being implemented by the prisons, but some are integrating it more slowly than others.

Determinate Term Parole Questions

1. What is your view of whether parolees should be returned to custody for non-violent, non-serious technical violations of conditions of parole? What types of alternatives to return to custody do you believe could reduce recidivism?

I support the use of remedial programs for non-violent parole violators, especially residential or community based programs that treat the inmate in a supervised setting. These programs provide programming that benefits inmates during the time they otherwise would be in reception centers where it is unavailable. The state budget that was just adopted includes programs that would direct low-level offenders to substance abuse programs while continuing their parole and has the potential to benefit as many as 30,000 inmates who otherwise would be returned to prison for parole violations.

2. **Due to the State's budget crisis, some have suggested that significant savings can be realized by the early release (of a few to 30 days) of non-violent offenders. What is your view of such proposals?**

The Board of Prison Terms has no jurisdiction over the paroled release of determinate sentenced inmates. Those decisions are made by the Parole and Community Service Division of the Department of Corrections.

3. **Last year, the Office of the Inspector General issued a report on the BPT's handling of the parole revocation process. Among the issues identified in the OIG report, is the inadequate supervision of deputy commissioners. Please provide an update on the steps taken to address this issue. How are you, as a commissioner, involved in this process?**

To augment our supervision of Deputy Commissioners, we have added two Associate Chief Deputy Commissioners to oversee them in our Northern California regions. They also have been deployed out to the parole field offices where the Deputy Commissioners work every day, instead of being assigned to the BPT headquarters. The BPT also has created a tracking system to document the assignments given to Deputy Commissioners as part of a workload study. The results will be used in future negotiations with their union.

As a Commissioner, I am not directly involved in this process. The Chairperson of the Board and its Executive Officer keep Commissioners apprised of critical issues and solicit suggestions from us as appropriate for making those decisions.

General Parole Question

1. **Do you believe current institutional programs such as self-help, substance abuse, educational and vocational, and pre-release adequately prepare inmates for parole? What do you believe should be done to improve these programs?**

I support all types of educational and vocational programs that enable inmates to leave prison with more ability to function in society than they had when they entered prison. Budget constraints and priorities, over which the BPT has no control, dictate the degree to which these programs are available to lifer inmates.



CALIFORNIA LABOR AND WORKFORCE DEVELOPMENT AGENCY

Undersecretary and Acting Secretary, Herb K. Schultz

801 K Street, Suite 2101

Sacramento, CA 95814

(916) 327-9064 phone

(916) 327-9158 fax

August 12, 2003

Honorable John L. Burton
Chairman
Senate Rules Committee
State Capitol, Room 420
Sacramento, CA 95814

Honorable Senator Burton:

The position of deputy secretary for employment and workforce development is responsible for the planning, organizing, facilitating, oversight and direction of the job services, unemployment insurance, workforce development, apprenticeship standards, disability insurance and workers' compensation programs. In this capacity I would simplify, strengthen, and improve the operation and management of programs that protect and provide services to California's workers and employers.

In that I came into state service from California Conference of Machinists where I worked my way up from an entry-level factory worker to the state's executive secretary-treasurer, I believe that I bring a unique perspective to this position. I have worked directly with most of California's various job-training programs and believe we have some of the best job training programs in the country. During this time of economic rebuilding, the ability to promote and deliver the services these programs will prove to be strong support for California's workforce and could drive us to recovery.

Recently, I have been working with the communications shops at the different departments under the labor agency to create interest in Employment Training Program (ETP), California Workforce Investment Board (CWIB), and EDD-funded training by spotlighting their accomplishments. I also have worked with the labor agency on a Web site that is in development. It will feature links to the agency programs, administration initiatives and other relevant links that will provide constituents another point of access to these important services.

Our success in attracting and keeping small businesses will support prosperity in California. I have reviewed the different job training programs and have initiated a small business pilot project to increase the number of small businesses that get training funds. As part of this effort, we have consulted with and received from sources including the CWIB Small Business

Workgroup which has been helpful in doing outreach to small businesses about the availability of training funds.

I also have spearheaded the labor agency's effort to create a statewide marketing plan for the CWIB one-stop system. It will include a common name and logo to brand the one-stops. This will promote access to the system for workers and employers. I believe this will assist the state in systematically matching worker training programs with regional labor market needs to create skilled, middle-class jobs that offer a secure future to Californians.

Agency services will be located in one-stop service delivery centers at different levels of integration. In locations where there is no co-location opportunity, materials for agency services will be available and other agency programs may maintain office hours. A specific recommendation I have made is for the integration of information on more state services in one-stop resource rooms.

The goal of creating a primary point of accountability for the administration and the Legislature to measure the success and the needs of the job training system is critical. That is why I have started working with the job-training programs and external stakeholders including the Legislature, employee and employer representatives to set goals and better understand the needs of the different communities that they represent.

Building on the already successful apprenticeship programs in the DIR and coordinating with the employment and training programs guided by CAWIB and implemented by EDD, we are trying to meet the growing need and demand for skilled trade and craft workers.

I strongly believe the coordination of employment and training strategies with public sector stakeholders within the agency, the Legislature, the Department of Education, the community colleges, the CSU and the UC systems is a critical first step. Ultimately, the input of employers, industry organizations and employee representatives can be harnessed to provide templates for apprenticeship, career ladder or lattice development of training opportunities that bridge gaps between industries. Careful development followed by appropriately designed training opportunities will position workers for a lifetime of opportunity and an easier skill transition as technology and markets change. A fundamentally literate and well-trained workforce with a workforce development system designed to flex with economic changes, will provide our state with opportunities beneficial to employers and workers.

Given this opportunity, I am sincerely committed to offering my best to serve the interests of the working people of California and those employers who depend so much upon their skill and commitment.

Sincerely,

A handwritten signature in dark ink, appearing to read "Matt McKinnon". The signature is fluid and cursive, with the first name "Matt" and last name "McKinnon" clearly distinguishable.

Matt McKinnon

Duty Statement

Deputy Secretary Employment and Workforce Development California Labor and Workforce Development Agency

Exempt Level F

Under the direction of the Secretary, the Deputy Secretary, Employment and Workforce Development strategically plans, organizes, facilitates, and provides oversight and direction to the Job Services, Unemployment Insurance, Workforce Development, Apprenticeship Standards, Disability Insurance and Workers' Compensation programs.

The Deputy Secretary will strategically link job creation and development programs to employers and workers. This includes development of policy and direction to achieve increased efficiency and coordination between programs; seamless service delivery; coordination of training programs between Department of Education, Community Colleges, Vocational Rehabilitation, the Employment Training Panel, Welfare to Work, Employment Services, Job Services and Workforce Development; integrated employer education and outreach services; and improved business relationships with labor organizations and unions, business organizations and employers, apprenticeship and training providers, and other organizations.

Consults, meets and collaborates with the Department of Labor, Legislators and their staff, and the Governor's Office and acts as spokesperson on workforce development issues bringing clarification to the public on various workforce initiatives.



CALIFORNIA LABOR AND WORKFORCE DEVELOPMENT AGENCY

Undersecretary and Acting Secretary, Herb K. Schultz
801 K Street, Suite 2101
Sacramento, CA 95814
(916) 327-9064 phone
(916) 327-9158 fax

August 12, 2003

Honorable John L. Burton
Chairman
Senate Rules Committee
State Capitol, Room 420
Sacramento, CA 95814

Honorable Senator Burton:

Per your request in your letter dated August 6, 2003, with respect to Form 700, which I submitted in April of this year, there haven't been any changes. The following is my statement outlining the short and long-term goals of the Labor and Workforce Development Agency.

The Labor and Workforce Development Agency poses many challenges and opportunities, which I feel competent to address because of my background as the business manager of the International Brotherhood of Electrical Workers (IBEW) Local 1245 representing over 18,000 members.

With more than 20 years running my local, I have found that communication is one of the most significant organizational dynamics in making or breaking a program. With state government, I am referring to communication internal to the administration, the people in the field, to the managers supervising the work, and external to outside stakeholders, from the Legislature to taxpayers.

Since I moved to the labor agency five months ago, I have focused on better coordinating communications and expanding outreach efforts, especially to special populations in need of service from Labor Agency programs. An example is a series of Cal/OSHA-sponsored farm worker education forums that bring agency programs (Cal/OSHA, DLSE, EDD and the ALRB) and other relevant services (the Mexican Consulate and pesticide regulators) together to provide education to farm workers and their families. Forums have already occurred recently in Coachella, Oxnard, and Porterville.

Educating and informing employers are an important part of efficiencies. Through the Joint Enforcement Task Force and the Division of Labor Standards Enforcement efforts, we are providing information concerning labor law requirements to the Northern California Grocery Association relative to janitorial contract services. Similarly, we are providing information to the car wash industry.

I have also worked with the rest of the agency staff on a Web site that is in development. It will feature links to agency programs, major administration initiatives and other relevant links that will provide the agency a clear presence in e-government.

During these tough economic times, the goal of maximizing every dollar has become more of a necessity. I have worked internally to make sure the administration knows that any allocation given to the labor agency is stretched to its capacity. To this end I have and will continue to push for more freeze exemptions, like the ALRB received this year. Given the ALRB's small staff and the wide geographical area they serve, these positions will help the agency reach its constituents more efficiently. In addition, we are coordinating volunteer staff loans from DIR and EDD during peak periods of activity for the ALRB.

We have instituted training and cross training between the departments and divisions so the agency's employees are educated on all the services we provide to the public. We are analyzing and evaluating the locations and facilities of the enforcement entities to determine possible changes that could improve efficiencies and reduce costs.

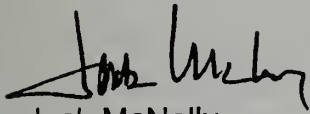
We must have better labor law enforcement in this state. While the numbers of enforcement personnel have increased over the past four years, the numbers are still not adequate to serve our growing workforce. One of the struggles is going to be doing more with what we have. We must more closely coordinate enforcement activities with in the labor agency so, for example, the Employment Development Department (EDD) can capture lost revenue from the underground economy while the DIR protects workers exploited in the underground economy.

I believe that if all the enforcement divisions of the agency could talk with each other using an agency-wide case tracking/case management system, much could be done to stop repeat violators of the law and curb some of the abuses to the current system. We have just completed an inventory of the systems within the agency and are trying to solve the ALRB's immediate need with a new system. This new system will be integrated into the same database currently being used by DIR and EDD to allow streamlined information sharing with those departments.

Three MOUs have been initiated by the agency on enforcement. The executed MOUs will help streamline information sharing between the ALRB and EDD, between EDD and DLSE and between OD-Legal and EDD. These agreements will provide under strict guidelines, for the release and use of EDD's confidential information on employer files, individual wage history, unemployment insurance, disability insurance, workers' compensation and social security number information. The MOUs allow the information to be used in administrative hearings and permit the enforcement programs to develop leads if more information is required in court.

If given the opportunity, I will continue to promote and advance the agenda and goals of the California Labor and Workforce Development Agency.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack McNally". The signature is stylized with a large, sweeping initial "J" and a long, horizontal stroke extending to the right.

Jack McNally
Deputy Secretary

Duty Statement

Deputy Secretary Wage Enforcement and Fair Employment Practices California Labor and Workforce Development Agency

Exempt Level F

Under the direction of the Secretary, the Deputy Secretary, Wage Enforcement and Fair Employment Practices strategically plans, organizes, facilitates, and coordinates policy and service delivery of Employer Tax Collections, Wage and Discrimination Complaints, benefit programs and fraud investigations.

The Deputy Secretary oversees and ensures legal compliance with rules and regulations administered by Cal OSHA, Unemployment Insurance, Disability Insurance, Workers' Compensation, the Monitor Advocates Office, Garment Manufacturers and Contractors Registration, Farm Labor Contract Certification and Licensing, Talent Agency Licensing, and Studio Teachers Certification.

Establishes policy aimed at coordinating and streamlining activities to achieve improved services.

Acts as a key advisor to the Secretary, on wage enforcement and fair employment practices throughout the State of California.

Nancy H. Sutley
Statement of Goals
State Water Resources Control Board

1. Make measurable progress in improving water quality:

Water is critical to the quality of life in California. Water quality is essential to the health of our ecosystems and to ensuring that we have adequate supplies of clean water for our people, cities and towns, agriculture, industry and the rest of our economy.

I want to be sure that the Board is tackling our critical water quality needs that include:

- strong protections from point sources and non-point sources of pollution, including an effective regulatory program for agriculture and timber;
- reduction in the threat to water quality from stormwater runoff;
- as our experience with MTBE has taught us, protection of groundwater by quickly identifying threats, such as perchlorate, and ensuring cleanup; and
- effective enforcement of our regulatory programs.

2. Make investments now in the long-term commitment to restore the health of California's waters:

I want to ensure that the Board moves ahead aggressively in developing and implementing total maximum daily loads (TMDLs) for our polluted waters. TMDLs are a critical tool for understanding the sources and nature of water pollution and providing a detailed roadmap for restoring water bodies. We must also invest in more and better monitoring of pollution levels and the health of our water bodies.

I would like to ensure that the State Water Board distributes bond funds quickly and through a fair and reasonable process. The voters expect us to use those bond monies to improve water quality, restore watersheds and protect our coast and beaches. We must coordinate in this effort with other entities, including other state agencies, local government and community groups to get the leverage available resources and ensure that priority watersheds are adequately addressed.

3. Ensure that the Board works effectively both internally and externally

The Board must make the most effective use of our constrained resources. The State Board should help the Regional Boards navigate complex water quality decisions by giving timely and clear policy guidance. The Regional Boards can then adapt that guidance to address local conditions and priorities. I am working closely with the San Francisco Bay Regional Water Quality Control Board and

the Los Angeles Regional Water Quality Control Board as their State Board liaison.

I want to ensure that we increase opportunities for public participation from the greater community. We must continue to reach out to work in partnership with local communities, such as through watershed councils and other local groups, to reflect their values for improving water quality, protecting watersheds and supporting recreation and other priority uses. The State Board should make sure we support the Regional Boards in identifying and protecting their high priority watersheds.

We must always be searching for ways to make our processes more inclusive and to engage the broadest communities in the efforts to protect and enhance water quality, through greater outreach, education and environmental justice programs.

481-R

Additional copies of this publication may be purchased for \$4.00 per copy
(includes shipping and handling) **plus current California sales tax.**

Senate Publications
1020 N Street, Room B-53
Sacramento, CA 95814
(916) 327-2155

Make checks payable to SENATE RULES COMMITTEE.
Please include Stock Number 481-R when ordering.

HEARING
SENATE RULES COMMITTEE

STATE OF CALIFORNIA

DOCUMENTS DEPT.

OCT 03 2003

SAN FRANCISCO
PUBLIC LIBRARY



STATE CAPITOL
ROOM 113
SACRAMENTO, CALIFORNIA

WEDNESDAY, AUGUST 27, 2003
1:40 P.M.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SENATE RULES COMMITTEE

STATE OF CALIFORNIA

HEARING

STATE CAPITOL

ROOM 113

SACRAMENTO, CALIFORNIA

WEDNESDAY, AUGUST 27, 2003

1:40 P.M.

Reported by:

Evelyn J. Mizak
Shorthand Reporter

APPEARANCESMEMBERS PRESENT

SENATOR JOHN BURTON, Chair

SENATOR ROSS JOHNSON, Vice Chair

SENATOR BETTY KARNETTE

SENATOR WILLIAM KNIGHT

SENATOR GLORIA ROMERO

STAFF PRESENT

GREG SCHMIDT, Executive Officer

PAT WEBB, Committee Secretary

NETTIE SABELHAUS, Consultant on Governor's Appointments

SUSIE SWATT, Consultant to SENATOR JOHNSON

TIM SHELLEY, Consultant to SENATOR KARNETTE

CHRIS BURNS, Consultant to SENATOR KNIGHT

ALSO PRESENT

MELINDA F. GUZMAN-MOORE, Member
California Community Colleges
Board of Governors

JULIAN CANETE, President and CEO
California Hispanic Chambers of Commerce

GABRIEL VIVAS
La Raza Lawyers Association, Sacramento

RAHIM REED, Associate Executive Vice Chancellor
Campus Community Relations
University of California, Davis

SYLVIA E. REYES
Hispanas Organized for Political Equality (HOPE)

YOLANDA BENSON
California Chamber of Commerce

MEMORANDUM

TO : THE PRESIDENT

FROM : THE SECRETARY OF DEFENSE

SUBJECT: [Illegible]

DATE: [Illegible]

1. [Illegible]

2. [Illegible]

3. [Illegible]

4. [Illegible]

5. [Illegible]

6. [Illegible]

7. [Illegible]

8. [Illegible]

9. [Illegible]

10. [Illegible]

11. [Illegible]

12. [Illegible]

13. [Illegible]

14. [Illegible]

15. [Illegible]

16. [Illegible]

17. [Illegible]

18. [Illegible]

19. [Illegible]

20. [Illegible]

21. [Illegible]

22. [Illegible]

23. [Illegible]

1 FAHARI JEFFERS, Member
2 California Community Colleges
3 Board of Governors

4 RONALD W. WONG, Member
5 California Community Colleges
6 Board of Governors

7 MATTHEW O. FRANKLIN, Director
8 Department of Housing and Community Development

9 ART CARTER
10 International Association of Plumbing and Mechanical Officials
11 and National Fire Protection Association

12 CHRISTINE MINNEHAN
13 Western Center on Law and Poverty

14 ALICE A. HUFFMAN, Trustee
15 California State University

16 KAREN YELVERTON ZAMARRIPA, Assistant Vice Chancellor
17 California State University

18 DR. JOHN TRAVIS, President
19 California Faculty Association
20
21
22
23
24
25
26
27
28

INDEXPage

Proceedings 1

Governor's Appointees:

MELINDA F. GUZMAN-MOORE, Member
California Community Colleges
Board of Governors .. 1

Background and Experience 1

Questions by SENATOR JOHNSON re:

Alumni of Community College 3

Governor's Inability to Appoint
Former Students of the Community
College System 4

Fixed Term Appointments vs.
Pleasure Appointments 4

Questions by SENATOR ROMERO re:

Vision of Community Colleges 5

Thoughts on Master Plan with Respect to
Structure and Mission of Community
Colleges 6

Questions by SENATOR KARNETTE re:

Helping Students Get Financial Aid 8

Questions by CHAIRMAN BURTON re:

Chancellor's Lack of Influence 9

Plans to Accommodate Predicted 35 Percent
Growth in Student Population by 2010 10

Witnesses in Support:

JULIAN CANETE, President and CEO
California Hispanic Chambers of Commerce 12

GABRIEL VIVAS

La Raza Lawyers Association, Sacramento 13

RAHIM REED, Associate Executive Vice Chancellor
Campus Community Relations

University of California, Davis 14

SYLVIA REYES

Hispanas Organized for Political Equality 16

YOLANDA BENSON

California Chamber of Commerce 17

Motion to Confirm 18

Statement by SENATOR JOHNSON re:

Intention to Abstain 18

Committee Action 19

Explanation by CHAIRMAN BURTON re:

Status of Nomination 19

FAHARI JEFFERS, Member

California Community Colleges

Board of Governors 20

Background and Experience 20

Statements by SENATOR JOHNSON re:

Intention to Abstain 21

Questions by SENATOR ROMERO re:

Visions of Reforms to Improve

Status of Board of Governors 22

Questions by SENATOR KARNETTE re:

Determination of Where Students

Will Be Housed 24

Motion to Confirm 25

Committee Action 26

1	RONALD W. WONG, Member	
2	California Community Colleges	
3	Board of Governors ..	26
4	Opening Statement	26
5	Statement by SENATOR JOHNSON re:	
6	Intention to Abstain	27
7	Questions by SENATOR ROMERO re:	
8	Opinions of Structural Reform	
9	Proposals	28
10	Questions by SENATOR KARNETTE re:	
11	Master Plan	29
12	Motion to Confirm	30
13	Committee Action	30
14	MATTHEW O. FRANKLIN, Director	
15	Department of Housing and Community Development	30
16	Opening Statement	31
17	Statements by SENATOR JOHNSON re:	
18	Intention to Support Nomination	33
19	Questions by SENATOR ROMERO re:	
20	Controversy over Decision to	
21	Delay Awarding of Home Funds	34
22	Questions by CHAIRMAN BURTON re:	
23	Funding Delays May Jeopardize	
24	Program	35
25	Strong Encouragement to Move the	
26	Money .	36
27	Farm Labor Housing	37
28		

Questions by SENATOR KNIGHT re:

Intentions on Defense Base Conversions	39
---	----

Questions by SENATOR KARNETTE re:

Help for Homeless	40
-------------------------	----

Questions by CHAIRMAN BURTON re:

Amount of Available Funds for Homeless	40
Quinn Cottages and PATH	41
Allocated Percentages	42
Problems with Getting Money Out Faster	43

Witnesses in Support:

ART CARTER

International Association of Plumbing and Mechanical Officials National Fire Protection Association	44
---	----

CHRISTINE MINNEHAN

Western Center on Law and Poverty	44
---	----

Questions by CHAIRMAN BURTON re:

Homeless Shelters at Former Air Base	45
Motion to Confirm	45
Committee Action	46
ALICE A. HUFFMAN, Trustee California State University	46
Background and Experience	46

Questions by SENATOR ROMERO re:

Inconsistent Implementation of AB 540, Nonresident Tuition Fees	47
--	----

Response by KAREN YELVERTON ZAMARRIPA, Assistant Vice Chancellor Office of Governmental Affairs California State University	48
--	----

Questions by SENATOR KARNETTE re:

Getting Information to Students about Availability of Financial Aids and Grants	49
--	----

Witness in Support:

DR. JOHN TRAVIS, President California Faculty Association	51
--	----

Motion to Confirm	52
-------------------------	----

Statements by SENATOR JOHNSON re:

Intention to Abstain	52
----------------------------	----

Committee Action	52
------------------------	----

Termination of Proceedings	53
----------------------------------	----

Certificate of Reporter	54
-------------------------------	----

ATTACHMENTS: Statements of Goals

MELINDA F. GUZMAN-MOORE	55
-------------------------------	----

FARAH JEFFERS	58
---------------------	----

RONALD W. WONG	60
----------------------	----

MATTHEW O. FRANKLIN	64
---------------------------	----

ALICE A. HUFFMAN	68
------------------------	----

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY
530 CHICAGO HALL
CHICAGO, ILL. 60637
U.S.A.
TEL: 773-936-5000
FAX: 773-936-5000
WWW: WWW.CHEM.UCHICAGO.EDU
E-MAIL: CHEM@UCHICAGO.EDU

P-R-O-C-E-E-D-I-N-G-S

--ooOoo--

CHAIRMAN BURTON: Melinda Guzman, Community College Board.

Go ahead, ma'am.

MS. GUZMAN-MOORE: Thank you, Mr. Chairman, Members of the Committee.

My name is Melinda Guzman-Moore. First of all, I want to say that I'm happy to be here to ask you for your vote in support of my confirmation as a member of Board of Governors for the California Community Colleges.

I have, under separate cover, sent to each of you a letter outlining some goals and objections for the system, as well as my current resume and biography. In lieu of repeating that information here, I do want to summarize some significant highlights to my background.

I am an attorney and have been an attorney for over 15 years, having begun my career here in Sacramento at the former Diepenbrock, Wulff, Plant and Hannigan law firm, where I practiced primarily business and employment litigation, and became a partner, and continued until that law firm dissolved in 1998, at which time I became a principle at one of the spin-off firms, Goldsberry, Freeman, Guzman, and Ditora.

I have served as an adjunct faculty member for the University of California, Davis, School of Law, teaching negotiations. And I am the current Chairperson of the California Hispanic Chamber of Commerce, the largest and, hopefully, the fastest growing business organization in

1 California.

2 I have been married for 20 years to Donald Moore.
3 Together we have an almost 19-year-old daughter, Dominique, both
4 of whom accompanied me here today. Dominique has been a student
5 in the California community college system, and she is currently
6 a student at CSU Sacramento.

7 I'm excited about serving on the Board of
8 Governors. There are four principle categories of students,
9 from high school to beyond, and I will be happy to discuss some
10 of those. I have been personally affected by different
11 categories and types of students in my family. I'm excited
12 about the role that the California community college plays in
13 fueling an educated and skilled workforce.

14 Before taking up too much time, I would just ask
15 that you vote in support of my confirmation. I commit to you
16 all that I will exercise sound business judgment as I always do.
17 I will listen and resolve disputes in the issues before me, and
18 I will provide leadership and direction all towards opening
19 doors and creating educational and employment opportunities for
20 all Californians.

21 With that, I thank you for your time. I ask you
22 for your vote in support, and I welcome your questions.

23 CHAIRMAN BURTON: Do you have any family here
24 you'd like to introduce?

25 MS. GUZMAN-MOORE: Yes, please, thank you, Mr.
26 Chairman.

27 My husband Donald Moore, and my daughter
28 Dominique Guzman-Moore.

1 CHAIRMAN BURTON: Thank you.

2 Senator Johnson.

3 SENATOR JOHNSON: Did you go to community
4 college?

5 MS. GUZMAN-MOORE: No, sir, I did not. I have
6 many family members, however, who have.

7 I mentioned there are four principle categories
8 of students who participate in community colleges: high school
9 students who seek either remedial or enhancement education. Two
10 of my nieces have attended Solano Community College in that
11 capacity.

12 Second category of student would be the student
13 who is seeking to create a bridge or gateway from community
14 college to a four-year institution. Both my daughter and my
15 nieces have attended Solano Community College, American River
16 College, and others.

17 The third category is really the individual who
18 seeks to enhance workforce skills. My father-in-law, who is a
19 retired Naval Chief Petty Officer and retired civilian took many
20 community college courses at Solano Community College in an
21 effort to enhance his skills and to improve his employability.

22 And then lastly, I would say are the individual
23 who seeks to enhance by a lifetime learning. And again, I have
24 immediate -- my niece who lives with me who has attended the
25 local community colleges to supplement her education at UC
26 Berkeley by taking, you know, piano, camera, and other classes.

27 So, although not directly a student myself, I
28 believe I recognize the value the community college system plays

1 in our state.

2 SENATOR JOHNSON: The question is not necessarily
3 directed at you. It's a question that I've directed at the
4 administration and at previous nominees.

5 It seems to me of the millions of people out here
6 in California who have attended community colleges, that the
7 Governor ought to be able to find someone qualified for this
8 kind of position.

9 That's not taking anything away from you, but
10 it's just something that I've noted in the past, that the
11 Governor doesn't seem to know anybody that actually attended a
12 community college, although he and I have been introduced in the
13 past.

14 The other issue I just want to bring up at this
15 point, and time and again, no reflection on you or your
16 qualifications for the position, but this is a position that
17 requires a two-thirds vote for confirmation, and it is for a
18 term of years as opposed to an at-will position.

19 And the reality is that none of us know, even if
20 we watch CNN 24 hours a day, we don't know what's going to
21 happen. But in six weeks, we may have a different appointing
22 authority.

23 And the question I just raise, again, without
24 respect to you or your qualifications is: Does it make sense to
25 be appointing someone to a fixed term when a new governor may be
26 in place in just over six weeks? And shouldn't that governor,
27 whoever he or she is, have the opportunity to put in place their
28 own team?

1 You can respond to that or not as you see fit,
2 but I felt it important to set that out on the record.

3 MS. GUZMAN-MOORE: Thank you, Mr. Senator.

4 Let me respond by saying that my track record, I
5 think, speaks well for my ability to work with all folks
6 regardless of party. I certainly -- the former Diepenbrock,
7 Wulff, Plant and Hannigan was fairly well respected as a more
8 conservative law firm, but most importantly, I would say that
9 the students and the individuals to whom we are to represent on
10 behalf of the system are both Democrat and Republican.

11 And I feel confident that my track record speaks
12 well of my ability to work with all administrations.

13 SENATOR JOHNSON: Thank you, Mr. Chairman.

14 CHAIRMAN BURTON: Senator Romero.

15 SENATOR ROMERO: Thank you.

16 It seems that the community colleges are almost
17 all things for all people. We seem to put everything in there.

18 Can you tell me a little bit about what your
19 vision is of community colleges? Is it K through 12? Is it
20 higher Ed?

21 On the system of shared governance, I think it's
22 a system that people -- I don't even know if we understand fully
23 what we're supposed to be doing in the community colleges on the
24 issue of shared governance.

25 The community college system has been called sort
26 of a loose confederation of about 72 different districts with,
27 in terms of the position, a weak Chancellor. I'm not speaking
28 personally, but in terms of the structure compared to UC and

1 CSU.

2 Give me your thoughts as we debate even the
3 future of community college system, as we discuss the Master
4 Plan in California. Have you read the plan? What are your
5 thoughts on it? And specifically with respect to the structure
6 and mission of community colleges, what would you advocate
7 for?

8 MS. GUZMAN-MOORE: Thank you, Senator.

9 I will trying to dissect. There are many aspects
10 to that question, and I will try to comment and highlight on a
11 few.

12 First of all, this Board of Governors will be
13 selecting a new chancellor by January '04. It's perhaps the
14 most important immediate decision that we will be facing,
15 because the new chancellor, he or she, will set the tone to
16 create the path for future growth and development of the system.

17 That stated, I mentioned earlier there are at
18 least four different categories of students that this system
19 serves. And thankfully, we have a very -- it is a very diverse
20 system, and it is one of the one of the strengths of the system.

21 At the same time, there are obviously competing
22 needs certainly within the budget, within goals and objectives
23 of how we meet the increasing demand and expectation on behalf
24 of a growing student population and the like.

25 I would hope that the next chancellor, in
26 partnership with the Board of Governors, will be empowered to
27 take on some greater authority on behalf of the California
28 community colleges system so that that new chancellor can stand

1 in greater stead in comparison --

2 SENATOR ROMERO: The next chancellor isn't being
3 confirmed by the Senate. You'll select the next chancellor.

4 My question goes to what is your vision? What is
5 your vision of the debate that has been initiated in this Master
6 Plan for Education that we are debating in the Legislature as we
7 speak, and specifically looking at the structure and the mission
8 of the community colleges?

9 Yes, the chancellor you'll select, and that's a
10 vision here. But what is your vision in terms of the college
11 system itself?

12 MS. GUZMAN-MOORE: My vision is to enhance and
13 empower the system so that it can complement the other two
14 public systems that we already have, and in part by doing so by
15 hiring a chancellor that will create new energy toward future
16 growth and development.

17 This system is the largest educational system in
18 the world. It channels -- it serves as a gateway to the other
19 two systems. It is the feeder of an employment workforce here
20 in California.

21 And so, the short answer is, I'd like to empower
22 the system so that it can better serve all aspects of its
23 students so that we can continue to grow in a positive
24 direction.

25 I can't, at least here, comment specifically on
26 the pending governance changes that have been proposed. I have
27 reviewed those. I think they are a step in the right direction,
28 but unfortunately, additional work really needs to be done to

1 carefully review the policy objectives and the goals that this
2 body and that you all, as our elected officials, with how we
3 would like to grow and expand this particular system.

4 But the short answer is, if we're to have the
5 system, I believe it should be empowered to complement the other
6 two.

7 SENATOR ROMERO: Thank you.

8 CHAIRMAN BURTON: Senator Knight.

9 SENATOR KNIGHT: No questions.

10 CHAIRMAN BURTON: Senator Karnette.

11 SENATOR KARNETTE: I am concerned about students
12 who are eligible for scholarships or help, financial help. I
13 think that's one of our big problems with the fees going up.

14 So, in your role, what can you do to help
15 outreach and get students in who can get financial help?

16 MS. GUZMAN-MOORE: Thank you.

17 We have already channeled some additional funding
18 so that we can begin to outreach in particular through the high
19 schools, so that the students can know that there are funding
20 sources available to them.

21 Unfortunately the timing of that outreach is not
22 likely to hit as many of the students as we'd like, at least for
23 the upcoming term. It is important for us to partner better
24 with high schools in particular, with the counselors, and to
25 improve our partnerships with the other institutions, but
26 really, the class of students that we're talking about are those
27 principally at the high schools.

28 So, to engage and to take advantage of

1 communication schemes directed toward high school teachers and
2 counselors in particular, those are what we're going to have to
3 do to channel and to get the information to the students who we
4 need to serve.

5 CHAIRMAN BURTON: One of the problems about a
6 chancellor, they don't have any influence over anything at all.

7 MS. GUZMAN-MOORE: I'm sorry, Mr. Chairman?

8 CHAIRMAN BURTON: I said, chancellors have
9 absolutely no influence because every community college has its
10 own board of trustees that can either listen -- I mean, what can
11 a chancellor really do?

12 MS. GUZMAN-MOORE: Currently the chancellor in
13 this system at least seems to serve as the principal lobbyist
14 for you all and for the electives, and is the principal
15 spokesperson.

16 And your question really speaks to some of the
17 governance issues --

18 CHAIRMAN BURTON: That was the point.

19 MS. GUZMAN-MOORE: -- that Senator Romero --
20 absolutely.

21 I do agree that this chancellor in this
22 particular system is not -- does not share the same power or
23 stature as the heads of the CSU or UC system. It is something
24 that we need to address moving forward.

25 And to go more central into the issue, I believe
26 that we do need a chancellor. We need a statewide chancellor.
27 We should not rely solely on the local districts. This is the
28 largest system. It has a significant impact on --

1 CHAIRMAN BURTON: I know all about that. I'm
2 just wondering, what can a chancellor do? Not much, right,
3 under the present system?

4 MS. GUZMAN-MOORE: Under the present system, he
5 has to work with consultation and the like.

6 CHAIRMAN BURTON: Senator Karnette asked you
7 about they are trying to get as much as information out to the
8 high schools about Cal Grants, Pell Grants, and the various
9 grants and aids.

10 MS. GUZMAN-MOORE: Correct.

11 CHAIRMAN BURTON: A startling statistic is, which
12 I wonder why, is that by the year 2010, which is not that far
13 away, there'll be a 35 percent increase in community college
14 enrollment.

15 Do you have any idea how they're going to
16 accommodate that kind of growth?

17 MS. GUZMAN-MOORE: I will candidly state that's
18 phenomenal. And it's both the glass is either half empty or
19 half full.

20 I do believe moving forward we have no choice but
21 to explore public and private partnerships with our system, in
22 particular as pertains to workforce development issues,
23 potential funding for research grants.

24 Now, folks don't typically look at the California
25 community college system for fellowships or research
26 opportunities, but they are there. So, we need to explore those
27 and more if we're to fuel the system that continues to grow.

28 CHAIRMAN BURTON: How is giving 120 professors

1 whatever -- I forget the term you just used -- but how is that
2 going to accommodate 35 percent growth in students? To increase
3 on-line stuff? How are they going to just accommodate them?
4 They could have 57 Nobel Prize winners, and it isn't going to
5 make more space for new students.

6 MS. GUZMAN-MOORE: This is not going to be the
7 research institution that a University of California is.

8 CHAIRMAN BURTON: I think I'm not clear in my
9 question.

10 There's a 35 percent growth predicted. Either
11 kids are getting older, or it's going to be more expensive to go
12 to CSU, and Cal, and private four-year schools.

13 How are they going to accommodate them? Are you
14 going to try to build a whole lot of new campuses? Do more
15 on-line stuff? Shut some of the doors? What?

16 MS. GUZMAN-MOORE: We have several options.

17 CHAIRMAN BURTON: Are they planning for it; do
18 you know?

19 MS. GUZMAN-MOORE: We are trying to plan for it.
20 There is a distance learning report that came out in the last
21 several months regarding our efforts in distance learning as
22 well as some on-line technology and courses, yes.

23 I was -- I apologize. I was speaking earlier
24 more towards the issue of funding and developing new programs
25 and workforce opportunities that could help bring in new faculty
26 and new programs into the system.

27 But yes, there are distance learning programs
28 that have been in place for quite sometime. We've had some

1 successes with that.

2 On-line classes, my sister, who is a single
3 parent of three, takes on-line courses in accounting from a Bay
4 Area campus, and it's been a nice opportunity for her to
5 supplement her education by obtaining a certification.

6 So, we will see more and more of those as we move
7 forward.

8 CHAIRMAN BURTON: Thank you very much.

9 Witnesses in support.

10 MS. GUZMAN-MOORE: Shall I be excused,
11 Mr. Chairman, or do I wait?

12 CHAIRMAN BURTON: Stay right where you are.

13 MS. GUZMAN-MOORE: Thank you.

14 MR. CANETE: Thank you, Mr. Chairman, Members of
15 the Committee.

16 Julian Canete, President and CEO of the
17 California Hispanic Chambers of Commerce.

18 The California Hispanic Chambers of Commerce
19 supports the nomination of Ms. Guzman to the Board of Governors
20 of the California Community College system. Throughout our
21 experiences, she has been an individual who can make the hard
22 decisions, who can make the right decisions in the best
23 interests of all involved.

24 We feel that she will bring to the Board of
25 Governors a commitment to the education of all Californians. I
26 have seen her be a tireless advocate for education within all
27 the systems, whether it's the community college system, the
28 California State system, or the UC system, by letting people

1 know that they need to take advantage of the opportunities that
2 exist out there.

3 She also realized the importance of a well
4 educated workforce in California for the future of California's
5 economic vitality.

6 The Board of Governors and the citizens of
7 California will benefit immensely, for Ms. Guzman-Moore's
8 commitment to higher education, her unique perspective, hard
9 work, and intelligence will play an important role in solving
10 the problems faced by the community college system.

11 The California Hispanic Chambers of Commerce, and
12 the over 60 Hispanic Chambers of Commerce in California,
13 strongly urge all Committee Members to support her appointment.

14 Thank you.

15 CHAIRMAN BURTON: Thank you very much.

16 Next.

17 MR. VIVAS: Good afternoon, Senators. My name is
18 Gabriel Vivas, V-i-v-a-s. I'm representing La Raza Lawyers
19 Association of Sacramento.

20 I'm here to voice our strong support for Melinda
21 Guzman-Moore. I've known Melinda since she was, in fact, a law
22 student, and I've seen her develop over the years. And I've
23 seen her tackle the many problems that a young Latina would face
24 in a very, very challenging situation in which she voluntarily
25 placed herself by actually challenging the legal structure of
26 Sacramento, and becoming the first Latina to come in and enter a
27 very conservative establishment law firm.

28 She has proven herself to be worthy. She has

1 proven her intellect. She has proven her creativity. She has
2 proven herself to be a very, very outstanding not only attorney
3 but leader in California.

4 I agree that she is -- and that I'm cognizant of
5 the fact that we are facing, in fact, a possible change in
6 leadership in the appointing authority, but my response to that
7 is very simply, that no matter who the appointing authority is,
8 that person will find Melinda to be outstanding, her
9 qualifications to be without any question, and I'm certain would
10 find her to be someone that they would want to appoint and have
11 on the Board of Governors.

12 I believe that her -- at this point she has
13 demonstrated resourcefulness. She's demonstrated a very serious
14 commitment, a heartfelt commitment, to education that comes from
15 the fact that she came from very humble beginnings. And when
16 one comes from those beginnings, it's not something that one
17 forgets. She brings that heartfelt commitment to education and
18 to the poor to this position.

19 I urge each one of you to support her
20 appointment.

21 CHAIRMAN BURTON: Thank you, sir.

22 Next.

23 MR. REED: Good afternoon, Chair and Members of
24 the Senate Committee. My name is Rahim Reed. I'm the Associate
25 Executive Vice Chancellor for Campus Community Relations at
26 University of California at Davis.

27 On behalf of Chancellor Larry Vanderhoef, the UC
28 Davis Alumni Association, and the UC Davis community, I would

1 like to strongly urge the Committee to appoint Melinda
2 Guzman-Moore to this position.

3 I believe that Melinda is well respected in her
4 profession, in the community, and certainly in the educational
5 community for her commitment to academic excellence, her support
6 of education from K through 12, and higher education, and her
7 advocacy for access to higher educational opportunities for
8 those currently underrepresented in our higher education
9 system.

10 I have personally only known Melinda for a couple
11 of years, but in the short period of time that I've known her,
12 I've been impressed with her commitment community service. This
13 commitment comes as no surprise to most of those in the UC Davis
14 family. Melinda has been a very strong contributor to the UC
15 Davis community and to the educational goals of our state
16 overall. She is well known in the community.

17 Melinda attended UC Davis, the Law School and the
18 undergraduate programs. Her family is a UC Davis family in a
19 sense, having her sisters all graduated from that institution.

20 But I don't say this to say that being a graduate
21 of UC Davis, that she would not have an understanding of the
22 needs of the state, and especially as it impacts the community
23 college system.

24 As you know, we do have a shared governance
25 system, and the importance in making that system work for all
26 Californians is the ability for it to work together. That is,
27 quite frankly, something that has been missing, of the need for
28 collaboration and understanding between the various systems

1 about the overall mission and goal. Oftentimes, that mission is
2 lost in our individual goals in the various parts of the
3 system. And quite frankly, I think we need someone who can look
4 at this as a whole and brings a perspective maybe from outside
5 to lend itself to the strength that is already within the
6 California community college system.

7 So, with those, I'd like to urge this Committee
8 to move forward her nomination. I thank you for your time.

9 CHAIRMAN BURTON: Thank you, sir.

10 Next, please.

11 MS. REYES: Good afternoon, Senator Burton and
12 Members of the Senate Rules Committee.

13 My name Sylvia Reyes. I am a member of the Board
14 of Directors for Hispanas Organized for Political Equality, or
15 HOPE. I am also a past student of the Sacramento City College,
16 on Freeport Boulevard in Sacramento, and currently am employed
17 and represent the University of the California, Davis. I've
18 also been a board member of the Sacramento Hispanic Chamber of
19 Commerce and recently served on the California Hispanic Chamber
20 of Commerce Board of Directors.

21 I have personally known Melinda Guzman for
22 approximately 10 years from her activities with the local and
23 statewide Hispanic Chambers of Commerce and from her
24 associations with the University of California, as well as an
25 attorney in the local community.

26 At all times I have known Melinda Guzman to
27 demonstrate the highest levels of professionalism and integrity.
28 She listens patiently. She has a keen insight into dealing with

1 diverse people. And more importantly, she always seems to
2 demonstrate a keen ability to resolve disputes and move a
3 project or agenda forward.

4 Her peers would state that she is level-headed,
5 reasonable, and does not act on a whim or with emotion.
6 Instead, she exercises sound business judgment, understands
7 protocols, and demonstrates an ability to lead others.

8 She is highly regarded as an alumni at the
9 University of California at Davis, where she has served as an
10 adjunct professor for the School of Law, and as a member of the
11 UC Davis Foundation. She was honored as the University's Alumna
12 of the Year.

13 She is also highly regarded as the Chairperson of
14 the California Hispanic Chamber of Commerce. In the last two
15 years under Ms. Guzman's leadership, the Chamber has excelled to
16 a prominent position, and all constituent groups from business
17 members, chambers, corporate sponsors, and others attribute the
18 growth and development to her keen leadership and vision.

19 I received a call from Congressman Doug Ose in
20 route to today's meeting. He offered his support of
21 Ms. Guzman's appointment, and he authorized me to communicate
22 this to you.

23 We strongly urge you to support Ms. Guzman-
24 Moore's appointment to the Board of Governors.

25 Thank you.

26 CHAIRMAN BURTON: Thank you.

27 MS. BENSON: Good afternoon. Yolanda Benson with
28 the California Chamber of Commerce here just to support Melinda

1 Guzman-Moore for this nomination.

2 And to reiterate what was already said by the
3 California Hispanic Chamber, we believe she understands the
4 issues, and we strongly support her nomination.

5 CHAIRMAN BURTON: Thank you.

6 Next.

7 Witnesses in opposition?

8 Senator Romero moves the nomination. Call the
9 roll.

10 SENATOR JOHNSON: Mr. Chairman.

11 CHAIRMAN BURTON: Yes, go ahead, Senator.

12 SENATOR JOHNSON: Thank you, Mr. Chairman.

13 I don't intend to vote for your confirmation. I
14 just want to state again for the record, it has nothing whatever
15 to do with your qualifications for this position.

16 But I'm concerned with the fact that we have an
17 election scheduled in six weeks that may change the appointing
18 authority.

19 I note that when Governor Davis took office, he
20 withdrew about 160 appointments that had been made by his
21 predecessor. I've argued consistently over the years that any
22 governor ought to have the right to put in place the team that
23 he or she wishes to.

24 There's no jeopardy if your confirmation is not
25 acted upon this year. There's not a problem until May of next
26 year.

27 Therefore again, no reflection whatever on you,
28 but I intend to abstain.

1 CHAIRMAN BURTON: Call the roll.

2 SECRETARY WEBB: Senator Karnette.

3 SENATOR KARNETTE: Aye.

4 SECRETARY WEBB: Karnette Aye. Senator Knight.

5 Senator Romero.

6 SENATOR ROMERO: Aye.

7 SECRETARY WEBB: Romero Aye. Senator Johnson.

8 Senator Burton.

9 CHAIRMAN BURTON: Aye.

10 SECRETARY WEBB: Burton Aye. Three to zero.

11 CHAIRMAN BURTON: The nomination will be
12 forwarded to the Floor, and we will be in touch with the
13 Governor's office.

14 But in all probability, unless there are 27 votes
15 coming, which means two Republicans, which, given the electoral
16 situation, almost all 27-vote people are at some kind of limbo,
17 which, to be honest, were the reverse the situation and it was a
18 Republican Governor and Democrats, it'd probably be the same.

19 But we'll be able to have you on the Floor. If
20 the votes are not forthcoming, good things happen on the 7th,
21 8th, or 9th, whichever date it is, in October. At that time we
22 can deal with it because you have to have a period up to
23 May 1st.

24 MS. GUZMAN-MOORE: Very good. Thank you,
25 Mr. Chairman. Members of the Committee, thank you.

26 CHAIRMAN BURTON: Thank you, ma'am.

27 Next, Fahari Jeffers, Community College Board of
28 Governors.

1 MS. JEFFERS: Thank you.

2 Good afternoon, Chairman Burton and Members of
3 the Committee. I am Fahari Jeffers. I serve as the General
4 Counsel and Secretary-Treasurer of United Domestic Workers of
5 America.

6 I, too, have sent a copy of my resume and a
7 statement to the Committee Members and will summarize it
8 briefly.

9 I happen to be a beneficiary of the community
10 college system in San Diego. I did attend San Diego City
11 College. And for me, it served as that gateway from high
12 school.

13 SENATOR JOHNSON: That commends you.

14 MS. JEFFERS: I'm letting you know.

15 However, I do also want to say that I've only
16 attended two meetings of the Community College Board of
17 Governors at this point, so there is a steep learning curve.
18 It's a vast institution. There is much more to learn than I
19 already know.

20 I have begun the learning curve, and from my
21 perch, I see certain things, probably not everything that I need
22 to see.

23 I do think, obviously, funding is an issue, but
24 that's not the only issue. We're vast; we're large. Our
25 responsibilities are increasing in terms of the population, the
26 numbers of people, making sure that at-risk students who are
27 always marginal and always have issues in terms of access to
28 knowledge about grants and other information get it even more

1 now because of the increase in tuition.

2 I do think also that it's probably time for a
3 review, so that money is probably a concern in terms of
4 stabilizing a funding base. But I think, looking at sort of a
5 top-down review of how we are currently structured and use the
6 funding that we get might enable us to do so more under these
7 challenging circumstances.

8 I look forward for completing the learning curve,
9 working with the students, faculty, staff, administrators of the
10 community college system, and also working with the Legislature
11 and the administration to keep the lights on in what is truly a
12 beacon of hope for many people throughout California.

13 I would ask for your support.

14 Thank you.

15 CHAIRMAN BURTON: Senator Johnson.

16 SENATOR JOHNSON: I would just like to
17 incorporate by reference my comments to the earlier nominee.

18 Again, it has no reflection whatever on you or
19 your qualifications for the position.

20 I will state for the record that I'm delighted
21 that the Governor has found someone to appoint who actually
22 attended a community college.

23 But for the reasons stated on the earlier
24 nominee, I do intend to abstain on this nomination today.

25 CHAIRMAN BURTON: Senator Romero.

26 SENATOR ROMERO: I'm also going to concur and say
27 congratulations. It's good to see somebody actually being from
28 the community colleges.

1 I'm a community college graduate, so it's good to
2 see that experience being translated into being a nominee on the
3 Board.

4 I served as a Trustee for the nation's largest
5 community college district; that's the Los Angeles Community
6 College District. When I was a Trustee, and in conversations
7 with other Trustees, we rather felt that the Board of Governors
8 was, quite frankly, irrelevant.

9 The community college structure is so loose, as I
10 said before. We're looking at the structural reform and the
11 need to perhaps figure out what we want in the community college
12 system.

13 With that sort of an attitude, and I think it's
14 somewhat widespread in California, what would you, if you were
15 to be confirmed as a Governor for the community colleges, how
16 might you envision, perhaps, a better working relationship, or
17 some type of reforms that would facilitate and really make
18 meaningful the role of Board of Governors in working with
19 locally elected trustee members?

20 MS. JEFFERS: Actually, from having only attended
21 two meetings, I think I can share that sense or question about
22 sometimes the relevancy of it.

23 I do, first of all, think that the Board of
24 Governors is relevant, because I think within a vast
25 institution, unless we're going to have a vulcanization of
26 community colleges, that you do need a statewide voice for
27 community colleges and an entity that is capable of enforcing
28 and implementing the standards that come from either statute or

1 the policy that we make.

2 But I do acknowledge that I think the capacity to
3 do that is somewhat limited. So, I think it's a question of two
4 things.

5 The chancellor, because of stature and structure,
6 can help fill that void. I think we have an opportunity now to
7 deal with stature, and I think there is some review of the
8 structure. I think the structure does need to be reviewed.

9 Does -- the Board of Governors may have enough
10 power if it's given the ability to exercise its role according
11 to statute. That's sort of, I guess, the insight that we have,
12 that I've been given, just from having attended two meetings.

13 So, I think it's time for a review of that. And
14 I don't think all the answers are known, but I think some of the
15 problems are known.

16 I think it is felt that the Board of Governors
17 and perhaps the chancellor is long on influence, short on power.
18 But I can't imagine us operating a system that has the number of
19 districts and the number of community college sites without that
20 statewide oversight and statewide hub.

21 So, I think we need it. I do think that it could
22 be a stronger voice. And I think for the two reasons, again --
23 the stature of the person that's in that position, and the
24 structure of the organization that that person has to lead --
25 can be enhanced.

26 We're going to make a decision about the
27 chancellor that I hope will address at least one of those.

28 SENATOR ROMERO: Thank you.

1 CHAIRMAN BURTON: Senator Knight.

2 SENATOR KNIGHT: No questions.

3 CHAIRMAN BURTON: Senator Karnette.

4 SENATOR KARNETTE: We were talking, and Senator
5 Burton brought up with the other person about housing in the
6 future.

7 Does the local board -- and maybe Senator Romero
8 knows this. Who actually determines if you have too many
9 students where they are housed? Is it the local community
10 college, and does the Board of Governors have anything to do
11 with that at all?

12 If you have more students than you can handle,
13 and you need to have classes in the high schools or buildings in
14 the mall, or whatever, who makes that determination? Is it the
15 Board of Trustees at the local college, or does the Board of
16 Governors have anything to do with how people are housed in a
17 community college?

18 SENATOR ROMERO: That actually is a local
19 decision.

20 SENATOR KARNETTE: I think it would be a local
21 decision.

22 So, the Board of Governors can't affect, but the
23 Board of Governors could push for more funding perhaps.

24 MS. JEFFERS: We could, and I think also, again,
25 just because there is a voice at the heart of power, which
26 Sacramento does represent the base of where the policy and
27 legislation comes from that affects how local community colleges
28 have to operate and exist, that, you know, there's sort of, I

1 guess, the bully pulpit comes from the Chancellor's Office and
2 the Board of Governors as well.

3 So, I would say it's not a -- it is a local
4 decision, and some decisions should remain local. That's
5 probably one of them.

6 But I think we could provide some support and
7 influence at the state level.

8 SENATOR KARNETTE: And this has been discussed
9 with the Master Plan? Senator Albert and Assembly Members
10 Goldberg and Liu, I think, are working on this.

11 MS. JEFFERS: I'm becoming more familiar with the
12 Education Code than I am with the Labor Code.

13 SENATOR KARNETTE: Okay.

14 CHAIRMAN BURTON: Do you have any family with
15 you?

16 MS. JEFFERS: No, I don't. They are in San Diego,
17 but many people have written letters.

18 CHAIRMAN BURTON: We have those for the record.

19 MS. JEFFERS: Thank you.

20 CHAIRMAN BURTON: Witnesses in support?
21 Witnesses in opposition?

22 Move the nomination.

23 As with the other, we'll move you to the Floor.
24 You'll be there with enough time for confirmation, assuming
25 things work out in October, or you find two Republicans that
26 you've got something on.

27 [Laughter.]

28 CHAIRMAN BURTON: Call the roll.

1 SECRETARY WEBB: Senator Karnette.

2 SENATOR KARNETTE: Aye.

3 SECRETARY WEBB: Karnette Aye. Senator Knight.
4 Senator Romero.

5 SENATOR ROMERO: Aye.

6 SECRETARY WEBB: Romero Aye. Senator Johnson.
7 Senator Burton.

8 CHAIRMAN BURTON: Aye.

9 SECRETARY WEBB: Burton Aye. Three to zero.

10 CHAIRMAN BURTON: Thank you.

11 MS. JEFFERS: Thank you very much.

12 CHAIRMAN BURTON: Ronald Wong.

13 MR. WONG: Good afternoon, Members of the
14 Committee, Senator Burton, other Members of the Rules Committee.
15 My name is Ronald Wong. It's a pleasure to be
16 here.

17 All of you should have the statement which I've
18 submitted which stated my goals and vision for the Community
19 College Board.

20 And I think more than anything, the Community
21 College Board is something that addresses both the young and the
22 old. And in our society, we've been -- I've read that we judge
23 our society by how we treat the young and the old.

24 To that degree, I just wanted to relay a story
25 that my father told me. And it's compelling to me because my
26 father is not is a man of many words.

27 But he told me that he had graduated from LACC,
28 and he had his AA Degree. And he walked out to the parking lot

1 with a friend of his, and they both had no money. They didn't
2 have any more money. They got accepted to UCLA, and they didn't
3 have any more money to continue their education. So, the next
4 day they both joined the US Army and enrolled so that they could
5 get the GI Bill.

6 And I tell that story only to the degree, the
7 number one thing that I would do is make sure people like my
8 father -- and my younger brother also attended community
9 college. I've attended, but I did not graduate from one -- that
10 we cannot let people slip between the cracks.

11 And my vision, and what I would do to make sure
12 that people who need that education can get that education, we
13 do everything we can. And I am in favor of any kind of reform,
14 structural or otherwise, that would just open up the books, flip
15 the tables, and see what we need to do to make this a better
16 system.

17 I'm open to any and all questions for more
18 details.

19 CHAIRMAN BURTON: Senator Johnson.

20 SENATOR JOHNSON: No questions.

21 Again, sir, with all respect, I incorporate to
22 you my comments to the earlier nominees.

23 CHAIRMAN BURTON: Do you have family with you
24 today, Mr. Wong?

25 MR. WONG: No, sir.

26 CHAIRMAN BURTON: Senator Romero.

27 SENATOR ROMERO: Again too, as I mentioned
28 earlier, I forgive you for moving out of my 24th Senate

1 District, but I still have your family as constituents, so that
2 speaks favorably.

3 Once again, you and I have had opportunity to
4 have conversations about community colleges. If I can hear from
5 you a little bit about the need for structural reform within the
6 community college system, and specifically if you can address
7 the point of whether or not this somewhat loose confederation of
8 72 districts really gives the community colleges the status, and
9 clout, and respect that I believe should be accorded any
10 institution of higher education in California.

11 What are your thoughts on the proposals for
12 structural reform, whether you agree or disagree?

13 MR. WONG: Right. I haven't studied the current
14 proposals on the table regarding the things that are being
15 mentioned in the Legislature right now, but I will say this.

16 I think, and just going to two meetings, it seems
17 apparent that the community college views themselves as someone
18 -- as an entity that doesn't have the strength and the clout as
19 the UCs and Cal States, and we need to change that.

20 Now, structurally it's obvious, because we have
21 72 districts that have their own elected members, we feel that
22 they're empowered by people to do the local district's and their
23 local community's bidding in a way.

24 But we have two options. We could get rid of the
25 Board, and just as a rational point of view, looking at it two
26 ways, we could get rid of the Board and empower them, or we
27 could beef up the power of a centralized state in one system.

28 I am very much in favor of the latter. I think

1 there would be a danger if we, in a way, continued as we are, or
2 even weaken because the budget cuts impacted the Office of the
3 Chancellor and kind of limited even his ability to do what he
4 needed to do.

5 So, I think we need to strengthen that office. I
6 think we need to look at reform.

7 I give deference to the locally elected members
8 of all the 72 other districts, but if there's a shared
9 governance, that we could all come to the table. And that was
10 in my written statement. I think it's important that all those
11 parties come to the table and look at this system from top to
12 bottom, and the Legislature take the lead on putting things on
13 the table.

14 SENATOR ROMERO: Thank you.

15 CHAIRMAN BURTON: Senator Knight.

16 SENATOR KNIGHT: No questions.

17 CHAIRMAN BURTON: Senator Karnette.

18 SENATOR KARNETTE: Have you looked at the Master
19 Plan or been involved in that at all?

20 MR. WONG: I've looked at it.

21 I think in terms of the community college, I feel
22 that the two main rules that you would focus on is getting
23 people into the four-year university, pushing them in that
24 direction; beefing up the basic skills; working with the K
25 through 12 education so that kids who get to them can then
26 transfer and succeed at the four-year college and are not
27 floundering.

28 For the students, not everyone's going to go to a

1 four-year university. For the ones that don't, give them
2 realistic job experience and beef up the vocational training.
3 And I think that is the main role for the community colleges, in
4 those two areas simply.

5 SENATOR KARNETTE: Thank you.

6 CHAIRMAN BURTON: Witnesses in support?
7 Witnesses in opposition?

8 Move the nomination.

9 SECRETARY WEBB: Senator Karnette.

10 SENATOR KARNETTE: Aye.

11 SECRETARY WEBB: Karnette Aye. Senator Knight.
12 Senator Romero.

13 SENATOR ROMERO: Aye.

14 SECRETARY WEBB: Romero Aye. Senator Johnson.
15 Senator Burton.

16 CHAIRMAN BURTON: Aye.

17 SECRETARY WEBB: Burton Aye. Three to zero.

18 CHAIRMAN BURTON: We will be moving you to the
19 Floor, awaiting the outcome.

20 MR. WONG: All right, thank you.

21 And I respect Senator Johnson's opinion. Having
22 worked for the Governor, I respect whatever may happen.

23 SENATOR JOHNSON: Thank you, sir.

24 CHAIRMAN BURTON: Matthew Franklin.

25 MR. FRANKLIN: Shall I begin, Chairman?

26 Thank you, Chairman, distinguished Members, for
27 this opportunity to appear before the Committee.

28 I believe this is an extraordinary time.

1 I'm Matthew Franklin, nominee for Director of
2 Housing and Community Development.

3 I believe this is extraordinary time to lead the
4 administration's efforts to develop affordable housing and spur
5 economic development. In my view, California has never faced
6 more significant challenges or had such substantial
7 opportunities to meet its housing needs.

8 As you know, our state is experiencing an
9 affordable housing crisis. Demand for housing in California far
10 outstrips supply. Due to this imbalance, home prices and rents
11 are out of reach for too many Californians. This is
12 particularly true for low-income working families.

13 But low wage earners are not the only ones
14 frustrated by the California housing market. While most
15 Californians share the American dream of owning a home of their
16 own, our state's home ownership rate is the third lowest in the
17 nation.

18 Our affordable housing crisis also has a direct
19 impact on the economic health of the state. This Legislature,
20 and particularly Chairman Burton, have demonstrated tremendous
21 leadership by recognizing this crisis, and more importantly,
22 taking bold steps to address it. Most recently, the Legislature
23 approved Proposition 46, which will provide \$2.1 billion dollars
24 to meet California's affordable housing needs. This is the
25 largest housing funding allocation in California's history.

26 Before the bond was approved, the Legislature
27 tackled such critical issues as lowering school fees on
28 affordable housing, reforming construction defect statutes,

1 reorganizing HCD's program structure.

2 If confirmed by the Senate, the top priority
3 during my tenure will be to ensure that the Department
4 administers Proposition 46 funding in an efficient and effective
5 manner. This will include setting an aggressive timetable for
6 awarding funds, and developing and maintaining sound internal
7 controls.

8 For 30 years, the state also has required that
9 local governments identify enough sites for housing development
10 to meet all their community's needs. This law has served us
11 well, but I believe the time is right to reform the state's
12 requirements. Many of our partners in this process, including
13 local elected officials and state legislators, have come forward
14 with exciting ideas and proposals for reform. I'm committed to
15 working with them to improve our housing element law and do more
16 to ensure an adequate supply of affordable housing.

17 The state also has a responsibility, along with
18 local governments, to ensure that all Californians have decent
19 and safe housing. I will use the Department's authority to
20 develop the State Residential Building Code to ensure that
21 California's maintaining the highest standards for health and
22 safety.

23 Finally and in conclusion, I'm hopeful that HCD's
24 implementation of Proposition 46 will be successful enough to
25 make the case for identifying a permanent funding stream for
26 state affordable housing programs. If confirmed by the Senate,
27 I would feel fortunate to have the opportunity to serve as HCD
28 Director. I would welcome both the challenges and the

1 opportunities this position presents.

2 Thank you very much. I look forward to your
3 questions.

4 CHAIRMAN BURTON: Senator Johnson.

5 SENATOR JOHNSON: Thank you, Mr. Chairman.

6 I'd just like to make the point that in previous
7 nominees, in fact, over the years that I've been with the
8 Senate, I think I've voted for virtually every nomination that
9 the Governor has put forward.

10 If in six weeks there's not a change in the
11 Governor, I'm sure that I will continue to support the vast
12 majority of his nominees.

13 I intend to support your nomination because, as I
14 understand it, this is an appointment at the pleasure of the
15 Governor, so that if there is a change in the appointing
16 authority, there might be a change of heart with respect to
17 you.

18 I thought it important to lay out the difference
19 between this appointment and the earlier appointments, on which
20 I abstained, and on some others which I intend to abstain.

21 Thank you, Mr. Chairman.

22 CHAIRMAN BURTON: Senator Romero.

23 SENATOR ROMERO: Thank you.

24 There have been some concerns raised by
25 affordable housing groups, nonprofit organizations, and others
26 with respect to what appears to be delays in the office, which,
27 of course, you are directing, specifically in terms of the
28 timing of funding cycles, the most recent controversy being your

1 decision to delay the awarding of home funds.

2 Can you please explain to the Committee the
3 decision to delay it? How do any of us who represent small
4 communities go back and tell them, you know, basically, "Tough
5 luck. You're out of the round because of a decision that was
6 made to delay the funding cycle."

7 That specifically hurts the especially small
8 communities, communities under 50,000.

9 Help me understand the decision, and what are you
10 telling these communities when they're simply told, "Tough luck.
11 You're not in the funding cycle."

12 MR. FRANKLIN: Right. Well, thank you for the
13 opportunity to address this.

14 First of all, generally we are accelerating
15 funding timetables with Proposition 46 for several of our
16 programs, programs that impact over three-quarters of the money.
17 We have gone to two funding rounds per year instead of one.

18 So, it is a priority for us to get the money out,
19 and to get it out very quickly, in addition to making good
20 investment decisions.

21 In the case of the Home NOFA, which you are
22 referencing, there will be a delay of three months. This
23 follows a year where, like our other programs, we did two rounds
24 in a single year. And the reason we did that is, we have a
25 problem with the Home Program.

26 Home is, of course, a HUD program, and one of the
27 things that HUD watches is our expenditure rate. Our
28 expenditure rate lags the national average. We are in the

1 process of a reg. process to create a stricter timetable for the
2 expenditure of the funds to address this issue. We need to get
3 those regs done --

4 CHAIRMAN BURTON: Hold on for a minute.

5 You're slowing it down so you can speed it up.
6 In three months, you might not be there.

7 MR. FRANKLIN: Well, I understand we --

8 CHAIRMAN BURTON: In three months we might have a
9 Governor who may not want to implement this, with all respect to
10 my Republican colleagues. May not want to really be moving in
11 implementing this stuff.

12 MR. FRANKLIN: Right.

13 CHAIRMAN BURTON: Doesn't make any sense to me
14 for you to be slowing down a program when I, as the author of
15 the bond issue, when we had support, not total bipartisan but
16 some fair bipartisan support, and it would just seem to me that
17 with the housing crisis we have, to slow it down and speed it up
18 is about as good a government think as I've ever come across.

19 MR. FRANKLIN: And I understand your point,
20 Senator.

21 First of all, again, I would like to say that
22 this is an exception. And it is one where there are
23 trade-offs. This program needs to be improved.

24 We fund it on an annual basis. So, this is our
25 shot for this year to improve it. The improvements are ones
26 that we've consulted with our constituents on, and it's a very
27 important improvement.

28 CHAIRMAN BURTON: They can't be buying it or they

1 wouldn't be bitching to me.

2 MR. FRANKLIN: There is a cost, and that is the
3 trade-off. And, you know, again, this is a very tough call.

4 We're very open to going the other way. And the
5 other way would be to delay the improvement. That is not the
6 end of the world.

7 But the three months, it is only a three-month
8 delay. I appreciate that that has real impact on folks. So
9 this is -- you know, there are benefits and there are costs.
10 It's a tough call.

11 And we've been looking for input. Input from the
12 Committee would be --

13 CHAIRMAN BURTON: Far be it for me to make
14 believe you're the Governor trying to get some appointments
15 through, you know.

16 I would think it makes sense to move the money.

17 Now, I do not know the restrictions, or whatever.
18 And I'm sorry for interrupting, Senator Romero.

19 But I do not know the restrictions. In other
20 words, the money's here, and the money's for this program. New
21 governor, new person, new time, new feet-dragging: Let's review
22 this; let's take another look at that.

23 I mean, there's four of us in this Committee
24 won't even be here by the time the first buck goes out.

25 So, I would strongly encourage you that if there
26 is a program, because, you know, we're talking about homes,
27 we're talking about home-owner partnership and things like this,
28 and you ought to move the money.

1 MR. FRANKLIN: Okay.

2 CHAIRMAN BURTON: And also, it'd be good for the
3 economy because there's a downturn in the economy. And money
4 that's gotten out in housing construction, according to every
5 study, actually puts, for some odd reason, more money into the
6 economy, and it's a bigger generator than any other money you
7 spend on anything.

8 MR. FRANKLIN: Right.

9 CHAIRMAN BURTON: So, I'd figure that I'd kind of
10 err on the side of getting it done myself.

11 MR. FRANKLIN: Okay, done. We can do that. We
12 will do that.

13 [Laughter.]

14 CHAIRMAN BURTON: Move the nomination.

15 [Laughter.]

16 CHAIRMAN BURTON: Excuse me, Senator.

17 SENATOR ROMERO: No, that's it. That's the point
18 precisely. Move it.

19 MR. FRANKLIN: Right. We will.

20 CHAIRMAN BURTON: Just one other before I yield
21 to Senator Knight.

22 What's happening with farm labor housing?

23 MR. FRANKLIN: Well, as I believe you're aware,
24 Senator, there's \$200 million dollars available for farmworker
25 housing in Proposition 46. This represents an incredible
26 increase. Prior to the bond, we had funding of 2 to 5 million a
27 year in this program.

28 CHAIRMAN BURTON: Right.

1 MR. FRANKLIN: We've awarded over 27 million
2 already. We have a second --

3 CHAIRMAN BURTON: A little over 10 percent.

4 MR. FRANKLIN: We have a second NOFA going out
5 within a month for another round. This is one of the programs
6 where we've accelerated funding, and we're going to do two
7 funding rounds this year.

8 We have a very clear timetable to spend these
9 funds over a four-year period, which we've shared with the
10 Senate on other occasions, and we're ahead of schedule.

11 CHAIRMAN BURTON: You're ahead of schedule. So,
12 you're a little over 10 percent with the first round.

13 The second round will be how much?

14 MR. FRANKLIN: It'll be a roughly equal amount.

15 CHAIRMAN BURTON: So that's 20 percent. And then
16 the third round, I guess, doubles that? I don't see how you get
17 to 100 percent in four years if it's about 12 percent a year.

18 MR. FRANKLIN: Right, well it's not -- it was 27
19 million.

20 CHAIRMAN BURTON: It was 27 million, a little
21 over 10 percent or something of 200 million.

22 MR. FRANKLIN: Right.

23 Rounds will vary depending on the quality of the
24 applications, but we will get the money out in four years. We
25 have hit all our deadlines.

26 CHAIRMAN BURTON: That also is a crisis.

27 MR. FRANKLIN: Absolutely.

28 Again, on the Proposition 46 --

1 CHAIRMAN BURTON: Finally something the farmers
2 agree on.

3 MR. FRANKLIN: Absolutely.

4 CHAIRMAN BURTON: Senator Knight.

5 SENATOR KNIGHT: Thank you, Mr. Chairman.

6 During the budget process, we transferred the
7 responsibility for the defense base conversion to the HCD.

8 Are you aware of that? I guess the question is,
9 what do you intend to do with it?

10 MR. FRANKLIN: Yes, I am aware of it. We're very
11 excited about it. I think it makes good sense.

12 We have a group within the Department that is
13 very involved in working with cities and counties on their
14 housing element, which is a land use planning exercise targeted
15 at meeting housing needs. So, they work with the very folks on
16 the local levels who are going to be involved in base transfers.

17 We have met with the staff of Trade and Commerce,
18 as well as the general who runs the department, and we are
19 actively working on the transition, and we're very excited to
20 have him join us.

21 SENATOR KNIGHT: General Jeffords.

22 MR. FRANKLIN: That's right.

23 SENATOR KNIGHT: I have a bill that will probably
24 transfer it to the Agency.

25 MR. FRANKLIN: Okay. We would respect that if
26 that occurred, but if it came to the Department, we're prepared
27 and, in fact, very excited to work with him.

28 SENATOR KNIGHT: Very good.

1 CHAIRMAN BURTON: Senator Karnette.

2 SENATOR KARNETTE: I'm wondering about the
3 homeless. I understand families with children is one of the
4 fastest growing segments.

5 What are we doing with this money to help the
6 homeless?

7 MR. FRANKLIN: Again, I must say thank you in
8 large part to the Legislature. The homeless is a prominent
9 piece of Proposition 46.

10 Like farmworkers, we have an unprecedented level
11 of funding availability. We also are doing two rounds of Notice
12 Of Funds Availability on that. We've accelerated the funding
13 from our prior schedules.

14 And we have -- although the need is getting
15 worse, the state has an incredible opportunity here. The funds
16 in Proposition 46 will fund over 30,000 beds for the homeless,
17 which will double the availability of beds in this state for the
18 homeless.

19 So, I think it is a front-and-center in
20 Proposition 46, which is clearly our top priority, to get these
21 funds out, get them out quickly, and to make the decisions in
22 doing so.

23 CHAIRMAN BURTON: There was how much for the
24 homeless?

25 MR. FRANKLIN: It's also a little under 200
26 million. And the first round was in the same range; it was
27 about 26 million.

28 CHAIRMAN BURTON: So you're doing the same thing

1 as the other, same as the farmworkers?

2 MR. FRANKLIN: The timetable is roughly
3 equivalent. The Notice Of Funds Availability that's going to go
4 out this next round will be more on the order of 30 to 35
5 million.

6 But those are the increments. I mean, there is
7 -- this is an incredible ramp-up, not only for the Department,
8 but importantly for the developers. There's an industry of
9 folks out there who build these shelters. Even if the
10 Department could put all of the Prop. 46 money available
11 tomorrow, they couldn't handle it.

12 CHAIRMAN BURTON: Now, the homeless money goes to
13 what, just shelters?

14 MR. FRANKLIN: It is capital development money.
15 So, within Prop. 46, it's capital development.

16 CHAIRMAN BURTON: Are you familiar with Quinn
17 Cottages out here?

18 MR. FRANKLIN: Yes, I am.

19 CHAIRMAN BURTON: Could it go to something --

20 MR. FRANKLIN: It could; it could.

21 CHAIRMAN BURTON: -- Quinn Cottages or PATH down
22 in L.A?

23 MR. FRANKLIN: Absolutely.

24 Another feature is what we call supportive
25 housing, which is rental housing but targeted to a specific
26 population. That population is by definition those who are at
27 risk of homelessness.

28 CHAIRMAN BURTON: So, you've got 200, and is it

1 your discretion for the various pots? I should know that.

2 Actually Christine Minnehan, I'm sure, knows it because it was
3 her deal.

4 Is it 200 just there, and you can pick or choose
5 Quinn Cottages versus a shelter, versus at-risk housing, or were
6 there like percentages locked in?

7 MR. FRANKLIN: Actually, Senator, there's another
8 200 million that's for supportive housing. And that is rental
9 housing. It's apartments, which is very similar to the model
10 that Quinn Cottages pursues.

11 CHAIRMAN BURTON: I guess my question is, were
12 there percentages allocated, or is it like 200 million for
13 homeless shelters, which may include this, and then your
14 Department makes the determination.

15 MR. FRANKLIN: Yeah, there are actually two
16 different pots of money. There's one called the Emergency
17 Housing and Shelter Program. That is 200 million. And then
18 there's supportive --

19 CHAIRMAN BURTON: And that is what kind of
20 housing?

21 MR. FRANKLIN: That is shelters.

22 CHAIRMAN BURTON: That would be like emergency
23 shelters.

24 MR. FRANKLIN: Right. And then there's
25 another --

26 CHAIRMAN BURTON: Then you have like, quote,
27 "real" housing like Quinn Cottages?

28 MR. FRANKLIN: Right.

1 CHAIRMAN BURTON: Or PATH?

2 MR. FRANKLIN: Right. That's another 200. It's
3 separate. Separate program; separate scoring criteria that are
4 all laid out in regulations.

5 CHAIRMAN BURTON: And the problems, well, first
6 of all, your Department wasn't ready for this kind of bill
7 anyway but the problem with getting it out is, one, if you got
8 it all out tomorrow, they wouldn't know what to do with it, I
9 guess?

10 MR. FRANKLIN: I think that's the real issue.

11 But we are ramping up. We are ramped up. We
12 are moving this money. And our industry is ramping up. This is
13 a tremendous opportunity for it.

14 CHAIRMAN BURTON: Yeah, okay, that's great.

15 I understand your family's here?

16 MR. FRANKLIN: They are, yes. I would love to
17 introduce them.

18 I'm going to start with my partner, Annie
19 Leschin, importantly is a resident of San Francisco.

20 Then I think the two most beautiful voters of the
21 next decade --

22 CHAIRMAN BURTON: Well, let's not get, you
23 know --

24 [Laughter.]

25 MR. FRANKLIN: Gracie Cushman and Moira Cushman.
26 They are my nieces from Truckee, California.

27 My sister, Beth Cushman, and my brother-in-law
28 Bob Cushman.

1 Thank you, Senator, for that opportunity.

2 CHAIRMAN BURTON: There's Christine. She could
3 have answered the questions.

4 Are we happy with him, Christine?

5 MR. FRANKLIN: She, of course, credits you with
6 the job, but I know that she was --

7 CHAIRMAN BURTON: I'm just an instrument of her
8 wrath.

9 [Laughter.]

10 MR. FRANKLIN: Not a good place to be, Senator.

11 CHAIRMAN BURTON: Witnesses in support.

12 MR. CARTER: Mr. Chairman, Art Carter,
13 representing the International Association of Plumbing and
14 Mechanical Officials and the National Fire Protection
15 Association, in strong support.

16 You've witnessed just a few minutes ago, he's
17 obviously a very quick study, and we think he'll do an excellent
18 job.

19 MS. MINNEHAN: Mr. Chairman, Members of the
20 Committee, Western Center on Law and Poverty, Christine Minnehan
21 representing them.

22 We are in support of Mr. Franklin for this
23 position. He's new to the California housing group, but we have
24 thus far been impressed that he has remained laser focused on
25 our money, Senator, getting it out the door to all of these
26 programs.

27 I would mention that in the first round, 500,000
28 was granted to PATH, and the look-alikes or similar programs to

1 the Quinn Cottages are also under consideration. So, the
2 Department and Mr. Franklin are directing the funding sources to
3 go in the direction that were fully intended by the Legislature.

4 Secondly, he's also open to some of the other
5 ideas that we've talked about, the next step, Senator.

6 CHAIRMAN BURTON: Just one other question. Maybe
7 Christine would know this or you might.

8 Is it Quinn Cottages, I think, got a fair piece
9 out at whichever air base. Was it McClellan or was it Mather?

10 MS. MINNEHAN: It was Mather.

11 CHAIRMAN BURTON: I think it was McClellan that
12 supposedly they worked a deal and got some property set aside
13 for them out there.

14 MS. MINNEHAN: I'm sorry, I'm not familiar.

15 CHAIRMAN BURTON: I guess they know what they're
16 doing; they asked for money. That's fine.

17 MR. FRANKLIN: I'm not familiar with that, but we
18 will be as soon as we get the base transfer.

19 CHAIRMAN BURTON: I know Tina Thomas knows about
20 it because she's very active in Quinn Cottages.

21 Any witnesses in opposition?

22 I move the nomination.

23 SECRETARY WEBB: Senator Karnette.

24 SENATOR KARNETTE: Aye.

25 SECRETARY WEBB: Karnette Aye. Senator Knight.
26 Senator Romero.

27 SENATOR ROMERO: Aye.

28 SECRETARY WEBB: Romero Aye. Senator Johnson.

1 Senator Burton.

2 CHAIRMAN BURTON: Aye.

3 SECRETARY WEBB: Burton Aye. Three to zero.

4 CHAIRMAN BURTON: Congratulations.

5 MR. FRANKLIN: Thank you, sir. Thank you very
6 much.

7 CHAIRMAN BURTON: We expect the money to go out
8 before it's taken up on the Floor.

9 Alice Huffman, Trustee, California State
10 Universities.

11 MS. HUFFMAN: Good afternoon, Senator Burton and
12 Members of the committee. I am Alice Huffman, and it is a
13 privilege to ask you to allow me to serve the State of
14 California as a Trustee.

15 I can briefly tell you why I want to be a
16 Trustee. I believe in public education. I believe that it is
17 what makes this great economy great, and it's what makes
18 citizens great citizens of our world.

19 And I think that we should all probably invest
20 more in public education. I am a product of public education.
21 I came to California as high school dropout, and at age 37, I
22 attended UC Berkeley, was able to graduate with honors, and I
23 wear my Phi Beta Kappa Key on occasion for minorities when I'm
24 trying to do recruitment and motivation, and I let them know
25 what possibilities there are in California's public education
26 system.

27 I was an EOP student, so I thoroughly and
28 wholeheartedly endorse government intervention and support for

1 public education at all levels. I've had a lot of experience.
2 I started my career after I graduated, making less money, but I
3 was working at a state college in Pennsylvania. I worked out at
4 UC Davis, and of course, some of you know I was an appointee,
5 and I've worked around the Capitol for the last few years. I
6 won't say how many.

7 But I believe the experience that I've gained
8 will stand me in good stead as I attempt to be a good Trustee,
9 and I believe that I bring the sensitivity not only to represent
10 disenfranchised people, but to also represent all Californians
11 to do a good job.

12 SENATOR JOHNSON: Thank you.

13 Senator Romero.

14 SENATOR ROMERO: Thank you.

15 When we were doing background for this particular
16 issue, we came across an issue that I wanted to raise and see if
17 you are aware of it, or have any perspective on it.

18 It deals with the Legislature's passage of
19 Assembly Bill 540. This is the measure that dealt that
20 nonresident tuition fees, in particular with respect to
21 undocumented students.

22 It seems that while AB 540 have been implemented
23 with respect to the tuition, that there are inconsistencies in
24 the application, the interpretation of the regulation, campus by
25 campus, and that some campuses are treating students who qualify
26 under AB 540 that, in order to even be admitted to the system,
27 there is a difference. There is a discrepancy in terms of what
28 admissions requirements are necessary to be admitted.

1 Clearly, this would be discriminatory, I believe,
2 if it is accurate.

3 Are you aware of this issue? Have you had any
4 conversations with staff, CSU staff, about this issue?

5 MS. HUFFMAN: Yes, I had conversations with staff
6 today. They gave me a brief overview.

7 I think your perception of what was going on may
8 have been corrected, but if you want the details, Karen is
9 available to give you the details. They're prepared to do that.

10 SENATOR ROMERO: Karen, could you please come
11 forward? Thank you for stepping forward.

12 It is a very important issue, I believe, for all
13 of us.

14 Can you let us know what the latest is in terms
15 of looking at this discrepancy?

16 MS. ZAMARRIPA: Sure.

17 I'm Karen Yelverton Zamarripa with the California
18 State University.

19 That is a correct representation of the
20 situation, Senator.

21 AB 540, which we did work on for a good
22 year-and-a-half to two years with Assembly Member Firebaugh and
23 many others to try to address the issue of students who have
24 been in California, attended our high schools, graduated, the
25 bill did provide that those students would be waived from
26 out-of-state tuition. But as a condition of signature, it did
27 not change their residency status.

28 And it is a true situation that we have, at the

1 CSU, higher admission standards for nonresidents than residents.
2 And there have been differences of interpretation by our
3 campuses.

4 We appreciate that being called to our attention,
5 and we, in fact, had a conversation just this morning about a
6 memorandum that will go to the admissions officers and to the
7 presidents that will indicate a consistent pattern to treat them
8 as residents for both purposes of tuition as well as admissions.

9 SENATOR ROMERO: Great.

10 And again, too, that does not require legislative
11 activity?

12 MS. ZAMARRIPA: That's correct.

13 SENATOR ROMERO: How soon will that memo go out?

14 MS. ZAMARRIPA: Well, I've seen a draft at 6:30
15 this morning. I'm certainly expecting it within a week,
16 week-and-a-half at most.

17 The communications with the University of
18 California have also taken place to confirm our approaches are
19 consistent.

20 SENATOR ROMERO: Excellent. Thank you very much.

21 No other questions.

22 CHAIRMAN BURTON: Senator Knight.

23 SENATOR KNIGHT: No questions.

24 CHAIRMAN BURTON: Senator Karnette.

25 SENATOR KARNETTE: I'm interested in helping the
26 students who don't realize -- the same thing as with the
27 community colleges -- students who don't realize they're
28 eligible for help in one way or another. There are many grants.

1 How can the Regents, how can you help the
2 students get that information?

3 Because with the fees going up, we're going to
4 need to help the capable students. I really want that
5 information to get out.

6 MS. HUFFMAN: Well, I did check with
7 administration see what their outreach strategies are.

8 Right now for the current enrollment session,
9 they're working with the students directly that have applied to
10 make sure that they know they have opportunities, and they don't
11 lose any of those.

12 For the next wave, they will doing -- they have
13 funds for outreach. They make sure that they have the funds for
14 outreach, and they will be getting the word out that none of the
15 students -- as a matter of fact, none of the students who have
16 low-income needs will be disenfranchised. And they will know
17 that those opportunities exist for them. They have 100 percent
18 funding for students in need.

19 They do have an outreach program. As I become
20 more and more engaged as a Trustee, I intend to look at what
21 they're doing on a general level.

22 There's several approaches they use. One is to
23 go out and work with the students, and to build them up so that
24 they're qualified, and that is qualified as outreach.

25 And the other is a straight pot of money to let
26 people know about the financial aid and what to do.

27 So, they do have an effort there, and they are
28 aware of the fact that with all this negative PR and the things

1 that have been going on, that they have to make extra effort.

2 SENATOR KARNETTE: I really think there are a lot
3 of families that could have afforded CSUs in the past are going
4 to have trouble as well.

5 So, I think this is really important, and I hope
6 we can all address it, including the Legislature.

7 MS. HUFFMAN: Well, I did check on whether not
8 just low-income but how middle-class families will fair under
9 all of this problem, and I've been assured that they will still,
10 on a need basis, on a scale, their needs will be addressed. And
11 the administration's doing everything they can to get the word
12 out.

13 SENATOR KARNETTE: Good.

14 CHAIRMAN BURTON: Witnesses in support?

15 DR. TRAVIS: My name is John Travis. I'm the
16 President of the California Faculty Association, which
17 represents the 22,000 faculty at the California State
18 University.

19 We strongly endorse the confirmation of Ms. Alice
20 Huffman to the Board of Trustees.

21 She has a life-long commitment to public
22 education which will serve her well among her colleagues.

23 She also has an enviable reputation for social
24 justice and civil rights which will help guide and shape the
25 vision of the California State University as we come into a time
26 of a more diverse student body of over 400,000 students
27 presently, and a more diverse professorate.

28 So, we strongly endorse her. We think she would

1 make an excellent Trustee.

2 Thank you.

3 CHAIRMAN BURTON: Any witnesses in opposition?

4 Move the nomination.

5 Senator Johnson.

6 SENATOR JOHNSON: Just if I may, Mr. Chairman.

7 I guess a decent respect for the opinion of folks
8 would require me to state again for the record, I've known you
9 for many years.

10 I may very well find myself in a position in
11 January where I'll be voting to confirm your nomination.

12 But given the extraordinary circumstance of this
13 being a fixed term, and that the appointing authority may no
14 longer be in a position to make those decisions in six weeks'
15 time, I intend to abstain.

16 I just wanted to state that for the record. I
17 appreciate, Mr. Chairman, you allowing me to do so.

18 CHAIRMAN BURTON: Call the roll.

19 SECRETARY WEBB: Senator Karnette.

20 SENATOR KARNETTE: Aye.

21 SECRETARY WEBB: Karnette Aye. Senator Knight.
22 Senator Romero.

23 SENATOR ROMERO: Aye.

24 SECRETARY WEBB: Romero Aye. Senator Johnson.
25 Senator Burton.

26 CHAIRMAN BURTON: Aye.

27 SECRETARY WEBB: Burton Aye. Three to zero.

28 CHAIRMAN BURTON: We'll have you on the Floor

1 ready to go January 3rd.

2 MS. HUFFMAN: Thank you very much.

3 CHAIRMAN BURTON: Thank you.

4 [Thereupon this portion of the
5 Senate Rules Committee hearing
6 was terminated at approximately
7 2:50 P.M.]

8 --ooOoo--
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

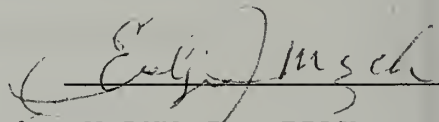
CERTIFICATE OF SHORTHAND REPORTER

I, EVELYN J. MIZAK, a Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing transcript of the Senate Rules Committee hearing was reported verbatim in shorthand by me, Evelyn J. Mizak, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said hearing, nor in any way interested in the outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of August, 2003.


EVELYN J. MIZAK
Shorthand Reporter

August 14, 2003

Honorable John L. Burton
California State Senate
Chair, Senate Rules Committee
State Capitol Building, Room 420
Sacramento, CA 95814-4900

Re: Senate Rules Committee August 27, 2003, Confirmation Hearing
Board of Governors,
California Community Colleges

Dear Senator Burton:

I confirm the Senate Rules Committee has scheduled a hearing on my confirmation as a member of the Board of Governors of the California Community Colleges on Wednesday, August 27, 2003 at 1:30 p.m. in Room 113 of the State Capitol. In preparation for that meeting, I am pleased to provide a general overview of my goals for the Board of Governors of the California Community Colleges. I also enclose a copy of my biography and resume for your information.

Please do not hesitate to contact me should you have any questions. Otherwise, I look forward to seeing you and members of the Senate Rules Committee on August 27, 2003.

Goals for California Community Colleges

The California Community Colleges ("CCC") is the largest educational system in the world. In California, the CCC opens doors and creates opportunities for people of all walks of life to enhance careers and to create bridges into other university systems. The CCC therefore plays a significant role in shaping California's social and economic future.

Short Term Goals:

a.. Recruitment and Selection of a new Chancellor

AUG 18 2003

Honorable John L. Burton
August 14, 2003
Page 2

The most immediate short term goals include selection of a new Chancellor for the California Community Colleges. The current Chancellor is scheduled to retire in January, 2004, and steps are currently underway to recruit and hire a new Chancellor. The Board of Governors convened a special hearing last month to solicit input from the community and CCC constituent groups on the criteria for selection of a new Chancellor. I believe the selection of a new Chancellor is critical to forging a new path for the system, and therefore, the selection is one of the most important decisions the Board of Governors may make in the next term.

a.. Budget Challenges

Another immediate goal is to confront the CCC budget. With continued budget cuts, the CCC must assess its needs, reevaluate its resources and create new partnerships for the CCC.

Long Term Goals:

a.. Meeting Needs of Diverse Student Populations

The CCC will continue to play a significant role in shaping California's employment force, and in bridging students from high school to four year university systems. The CCC also provides an ideal learning environment for those wishing to supplement their educational backgrounds for new workforce skills, and for learning skills missed in high school. The diverse needs of the CCC's student base will continue to present challenges and opportunities for the CCC now and in the future.

a.. Ensuring Access to All Students

California's budget challenges impact the CCC's ability to open doors for all students. Increased fees, limited internal resources, and budget cuts within campuses all threaten to impact the CCC's goal of ensuring access to all students. The CCC must continue its goals of opening doors and creating opportunities for California's diverse student population.

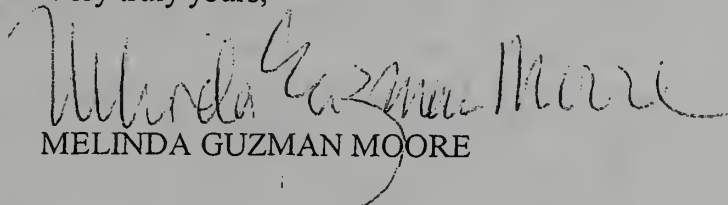
a.. Creating New Funding Partnerships

California's budget challenges provide opportunities for the CCC to form new partnerships with the private sector for funding, for workforce opportunities for the system's students, for research grants and other funding opportunities. I want to play a role in identifying new partnerships with corporate partners to enhance funding for the CCC. In addition, I want to assist the CCC in developing stronger relationships with other university systems, so that in partnership we can better meet the educational needs of California's student populations.

Honorable John L. Burton
August 14, 2003
Page 3

Thank you for your time and consideration. I look forward to meeting you and members of the Senate Rules Committee on August 27, 2003.

Very truly yours,



MELINDA GUZMAN MOORE

MGM:des

The Honorable John Burton and Members of the Senate Rules Committee:

Thank you for the opportunity to speak before you and address the matter of my confirmation to the California Community Colleges Board of Governors.

My name is Fahari Jeffers. I am the co-founder of United Domestic Workers of America (UDW), a labor organization that represents home care workers in 29 California counties. In 1977, we responded to a call from Cesar Chavez to organize domestic workers as our life's mission for social justice. Two years later, under the tutelage of Cesar, UDW was born. UDW's mission is to improve the quality, access and reliability of home care provided to California's elderly and disabled through improved working conditions, compensation and professional standards for those who provide these services. The majority of UDW members work under the In Home Supportive Services (IHSS) program. I currently serve as General Counsel and Secretary-Treasurer of UDW. My core responsibilities include directing the financial, legislative and collective bargaining operations and managing UDW's legal affairs. UDW has an executive board of 15, a staff of 73, and a membership of 45,000 - soon to be 65,000.

On behalf of UDW I have organized workers; developed home care programs with local government officials; negotiated and administered labor contracts; developed, secured funding for and conducted **home care aide training and welfare-to-work** job programs; and operated joint labor-management projects in San Diego, Riverside, Orange, Imperial, Kern, Tulare, Stanislaus, Nevada, Butte and Tehama Counties. I have drafted and lobbied for state legislation to create employment standards, improve service standards and program accountability, and establish the application of labor laws for the IHSS program. I have worked successfully with county, state and federal legislators of **both parties** and a range of community, business, religious and civic leaders throughout the state.

Starting a labor organization from the ground up and managing to keep it alive and thriving, is a rare occurrence in this generation. Many of the skills and attributes I believe I possess and the experiences that have shaped my abilities were formed during this process that started nearly thirty years ago, and continues today. I also attended community college and am a beneficiary of this marvelous institution. Numerous civic and community posts I have held have also provided unique opportunities to work with, learn from and contribute to people, organizations and institutions outside of labor. Most recently, my two terms of appointment on the San Diego City **Convention Center Corporation Board of Directors**, which ended with my election as President, provided a great view of how an industry, in this case the convention and visitors industry, serves as an **economic engine** for an entire region, and illustrated the responsibilities and burdens involved in making decisions that affect billions of dollars in a county's economy and affects the utilization of hotels, restaurants, entertainment venues and the jobs and quality of life for tens of thousands of people.

California's community college system is like the educational equivalent of a statewide economic engine. It is a vast institution that provides higher education and training opportunities for nearly **3 million adults every year** - the

largest post secondary education system in the **world**. Our community colleges provide fuel for California's economy by **preparing students for 4-year colleges** and universities; providing **vocational** training and development for immediate workforce entry; and offering **supplemental training for adults** of all ages in targeted skill development and specialized course completion.

Like every other institution in California our community colleges face enormous challenges brought about by a rapidly growing population, the expanding diversity of our population, and shrinking revenues.

I do not come to this position with an agenda but I do have some interests that are shaped by my beliefs, values and experiences with our education system; by an immeasurable respect and appreciation for the mission and performance of our community college institution; by my admiration for the dedication and service exemplified by those who work in our community colleges; and by my commitment to the students whose needs I believe should drive our policies and practices. This having been said, if I could realize one dream it would be to have a home care workers training program conducted by our community colleges.

My interests are as follows:

- Securing a well-rounded leader to serve as our next Chancellor who possesses the skill, commitment, character and stature to take our community college system **through this current era** and ensure that we retain the ability to fulfill our mission and achieve proper standing as the largest higher education system in the world;
- Effective decision-making: every institution needs a bureaucracy but **no institution should be led by it**. Striking a balance between process and productivity is a difficult task in such a large organization but doing so is a mark of leadership and clarity of purpose.
- Good management and stabilization of resources: we probably need more funding but I recognize we won't get it any time soon, at least not from our current or traditional sources. Therefore, resource management and stewardship is key, the ability to set priorities is critical, and the vision and creativity to expand and stabilize our **funding base** is essential.

I am not an expert on our community colleges but I am a convert to their goals and mission. This institution is vital to our economy, to our education system, and to our California quality of life. Maintaining a vibrant, viable community college system is part of the decades-old pact we have made with the residents of our great state. Our community college system is both a **passageway and a destination** for millions of Californians. I share a commitment to work diligently with my colleagues on the board, with the students, faculty, staff and administrators, and with the legislature, to keep this passageway open and maintain these facilities as the harbinger of hope and progress they represent for the future of our state and our economy.

I would be honored to serve on this board and ask for your support in this confirmation process. Thank you very much.

CALIFORNIA COMMUNITY COLLEGES: CHALLENGES AND OPPORTUNITIES

By: Ronald W. Wong

The California Community College System plays an important role in the higher educational system for the State of California. For many, Community Colleges offers a new beginning--a chance to learn a trade, hone basic skills, or prepare for a 4-year university. If confirmed as a Board of Governor for the California Community Colleges, I will work hard to:

Hold Costs Down: We need maintain quality education at an affordable cost. In my mind a Community College education should be free and open to anyone who wishes to enroll. However, I am acutely aware of the current fiscal crisis and limited state funds. Thus, I accept the reality that fees had to be raised this year. Increased student fees should only be a last resort until all other options have been explored and exhausted. In the event that fees must be raised, than we must enhance student aid programs to ensure that costs are not a deterrent from any student seeking an education. Perhaps instituting a tiered student fee system whereby students who can afford to pay more do so and students can afford less pays less. Community College is an educational safety net—we cannot let students fall through this net.

Explore Other Funding Options: Given the critical mission of the Community Colleges and the current fiscal condition of the State, the Community College

system needs to explore other funding sources. We should greatly expand the work of the Community College Foundation. Build private-partnerships to tap private donations, grants and funds. Aggressively approach the alumni base and potential donors to bring in a find new revenue sources. To a great degree the Community College system must rely on itself to find new sources of revenue and become more self-sufficient.

Stress and Enhance Basic Skills: By default the Community College system falls someplace between K-12 and a 4-year university. Unfortunately, many students who enter the Community College system are not ready for 4-year university work. While some of these students may have simply been passed on in throughout their K-12 education, once they reach the Community College there is no place else to be passed to—they must be dealt with, taught and given the tools to get to the next level.

First and foremost, our Community College must provide our students with the basic writing, reading and math skills. If necessary Community Colleges should work more closely with their K-12 counterparts to ensure students have basic skills necessary to succeed.

Efficient and Creative Management: In the reality of today's tight budget we must constantly ask our managers to do more with less. This includes challenging assumptions and doing business as we have never done before.

As you know, currently the California Community Colleges is in search of a new Chancellor to manage and run the system. We need to ensure that every stone is turned to find the best-qualified person to manage the system and its diversity. Once a new Chancellor is in place we will have a good opportunity to fully evaluate the executive office of the Community Colleges and make changes as appropriate. The Legislature, Governor's office and other key stakeholders need to be an important part of the process. I for one, support a Chancellor who is comfortable and well equip to brief and seek the input and guidance of the Legislature in delivering quality education.

Manage Inclusively and Collaboratively: There are many important stakeholders in the Community College system. The Legislature, faculty, students and each of the individual campuses must work together if we are to find new resources and revenue to make our system run effectively and efficiently. While I have only attended two meetings thus far, it seems to me that many of the various stakeholders work independently of one another in their own silos.

As a Board member I will strongly encourage collaboration at all levels of the Community College system. Especially between the individual campuses and the Chancellor's office. If there needs to be Legislation to enhance or strengthen

the system than I would actively encourage structural change to ensure that all of the parties are working together collaboratively.

As Board members and elected and appointed officials of our great State we have a responsibility to represents the constituents of our state freely, openly and to the best of our abilities. As a Board of Governors Member of the Community Colleges I feel my greatest responsibility is to the students who are fighting to better their lives and obtain and quality education.

###

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
OFFICE OF THE DIRECTOR**

90 Third Street, Room, 450
Sacramento, CA 95814
(916) 445-4775
Fax (916) 324-5107
www.hcd.ca.gov



August 22, 2003

The Honorable John Burton
President pro Tempore
Chair, Senate Rules Committee
State Capitol, Room 205
Sacramento, CA 95814

The Honorable Ross Johnson, Vice-Chair
Member of the Senate Rules Committee
State Capitol, Room 3063
Sacramento, CA 95814

The Honorable Betty Karnette
Member of the Senate Rules Committee
State Capitol, Room 5066
Sacramento, CA 95814

The Honorable William J. Knight
Member of the Senate Rules Committee
State Capitol, Room 5082
Sacramento, CA 95814

The Honorable Gloria Romero
Member of the Senate Rules Committee
State Capitol, Room 5051
Sacramento, CA 95814

Dear Chairman and Members:

Thank you for the opportunity to highlight my priority goals for the Department of Housing and Community Development (HCD). I come into the position of HCD Director as a passionate advocate for the development of affordable, safe and accessible housing throughout the State of California. Moreover, I am equally committed to effective management and accountability for the results we set out to achieve. My priorities include the following:

1. Efficient and effective administration of funding provided through the Housing and Emergency Shelter Trust Fund Act of 2002 (Proposition 46).

The passage of Proposition 46 in November 2002 created an unprecedented opportunity for HCD and the State to address affordable housing needs. Proposition 46 provides the largest housing funding allocations in California history, a total of \$2.1 billion to support 21 new or existing programs. The vast majority of these funding dollars are dedicated to programs administered by HCD. Specific funding levels include nearly \$1 billion to support the development and rehabilitation of affordable rental housing, nearly \$200 million to support the development of homeless shelters, \$200 million for farmworker housing and approximately \$450 million for a variety of affordable homeownership programs. HCD estimates Proposition 46 funds will support the development of over 130,000 affordable housing units and create nearly 270,000 jobs.

Our top priority during my tenure at HCD will be to ensure that the Department administers this increase in program funding and expansion in program offerings in an efficient and effective manner. This will include setting an aggressive time table for awarding funds and developing and maintaining sound internal controls to ensure good quality decisions in allocating funds.

2. Reform and improve the State's requirements for developing the local Housing Element.

HCD plays a key role in ensuring California's local jurisdictions plan adequately to meet their local housing needs by enforcing the State's requirements for developing a Housing Element. An adequate supply of affordable housing is fundamental to maintaining the strength of the California economy. The development of housing itself creates jobs, but more importantly a sufficient supply of housing is necessary to support and maintain economic growth. The process of ensuring an adequate supply of housing begins with good local land-use planning. California's Regional Housing Needs Assessment and Housing Element processes present an excellent opportunity for partnership with local governments, builders, and housing advocates to increase housing supply. Since enacted over 30 years ago, the State's Housing Element laws have done much to improve the supply of affordable housing. However, there is broad consensus that there still is more HCD and the State can do to improve and reform this process.

To facilitate a comprehensive review and reform of the Housing Element process, HCD has recently formed a working group of practitioners, builders and advocates. The working group was created with guidance and input from several members of the Legislature who have sponsored a variety of reform proposals. The group has a full schedule of planned meetings through the remainder of this calendar year and is committed to developing both legislative and administrative recommendations for reform by this December so that they may be considered in the 2004 session.

In addition to leading the working group, I am committed to providing a clearer set of guidelines and standards for the Housing Element process so that it works more effectively to remove barriers and promote housing production for all income levels in our State.

3. Ensure California is maintaining the highest standards for health and safety in residential housing development.

Under my tenure HCD will work with the State Building Standards Commission to ensure that California has the best residential building code in the nation. In the near term, this will include a timely and balanced update to the California residential building codes. Over the longer term, HCD will support local code enforcement activities.

4. Create additional housing opportunities for the homeless and those with special needs.

Our state must do a better job in reducing homelessness. As the Governor's Interagency Task Force on Homelessness reported many homeless people are products of various government

programs. Yet too often when at-risk individuals leave systems of care they wind up homeless and back in the same systems of care, often at a far higher cost than providing housing. Study after study shows that providing housing reduces the use of a host of service programs and significantly reduces criminal justice costs. Moreover, if housing programs can link with service providers so that housing is provided at discharge we can reduce homelessness and save money. HCD will work to connect state housing bond funds to service providers who work with those at risk of homelessness such as the mentally ill, emancipated foster youth, those with substance abuse problems and veterans.

However, the demand for special needs housing does not end with the homeless. As the state's recent Olmstead implementation plan noted, the disabled have a right to live in community settings if they are capable. Many people with disabilities survive only on SSI/SSP. Not only do they need affordable housing but they need units that are accessible. HCD will work to ensure that our main bond fund program continues to give a priority to special needs projects. And beyond our funding programs, we will work closely with the disability community to create model universal design ordinances for local jurisdictions. If adopted, these ordinances will encourage greater housing accessibility and visitability.

5. Improve program management and strengthen program monitoring.

Since beginning to serve as Interim Director of HCD on May 12, 2003, I have conducted a thorough review of all Department programs and operations. The review focused on prior program performance, current capacity and, importantly, the suitability of current staffing, organization and practices for the future anticipated workload. This review indicates that the Department generally is well managed and has a strong record of prior performance. The senior leadership team is very experienced, talented and committed to their work. However, the quality of program management and administration is not consistent across all divisions. Some programs need to improve performance, including the development of program guidelines and regulations, project underwriting, and timeliness of funding processes.

Although sound program management practices always should be a priority, Proposition 46 creates a unique responsibility to voters to achieve maximum benefit from these funds for the state of California. Maintaining our management practice standards will be a challenge given the dramatic increase in program funding represented by Proposition 46. The ramp-up in program activity anticipated over the next several years also will require that HCD enhance and strengthen its program monitoring activities. As the Department funds a significantly greater number of developments, its monitoring capacity must increase accordingly.

Therefore, a priority of my administration at HCD will be to strengthen and improve program administration and monitoring practices to ensure that all programs are performing to the highest standards.

6. Consult with Department stakeholders on a continuous basis.

A hallmark of my tenure at the Department will be an ongoing practice of listening and consulting with HCD's broad spectrum of stakeholders including housing advocates, builders, realtors, labor and business leaders, educators, and legislators. As the Department moves into a period of record program activity, it will be more important than ever that we have a thorough understanding of our stakeholders' needs and interests. Therefore, we will regularly offer opportunities for our stakeholders to provide feedback, information and ideas to the Department.

7. Enhance public access to HCD programs and services.

With more than two dozen different housing and economic development funding programs and several additional public services HCD is continually challenged to find ways to help the public understand and access the Department. If program guidelines are too confusing, funding cycles are too erratic or information is not presented clearly, then the public can become confused about what is available from HCD. Creating a more standardized method of program delivery will increase public trust and bring greater certainty to those who utilize our programs.

HCD has taken considerable strides to ensure easy access to its programs, including consolidation of several similar programs into omnibus program families and more recently the development of uniform underwriting guidelines that will apply to several housing development programs.

However, there still is much more the Department can and must do to help the public access our considerable resources. Therefore, a priority of my tenure at HCD will be to continue to identify and implement strategies for enhancing public access by bringing consistency to program guidelines, requirements and funding cycles.

8. Work with the Legislature to identify a permanent funding source for the State's affordable housing programs.

Over the longer term, I am hopeful that if HCD can successfully administer Proposition 46 program funds in an efficient and effective manner, it will demonstrate the value of identifying a permanent funding stream for State affordable housing programs.

Thank you again for the opportunity to present my goals for HCD and to appear in front of the Senate Rules Committee.

Sincerely,



Matthew O. Franklin
Director

A.C. Public Affairs, Inc

August 18, 2003

Honorable John Burton
Chairman of Rules
Senate Rules Committee
State Capitol, Room 420
Sacramento, CA 95814

Dear Senator Burton:

It is an honor to receive the appointment from Governor Davis to serve as a Trustee of the California State University, (CSU) and I ask for your favorable confirmation.

You requested a brief statement outlining my short and long-term goals for the Board in the coming years. I begin by acknowledging that I view the role of educating the citizenry as one of the noblest functions of state government. The enterprise of higher education, once the icing is on the cake, is now essential for a productive citizen in our growing technological age. Moreover, if California is to retain its place in this world economy, it must continue to invest in all of its educational systems to ensure that it produces a well-trained and educated workforce to keep pace and excel in the world market place.

CSU is a huge system and a big enterprise. The CSU system is a vital link in California's Master Plan for Higher Education. California's effort to provide a quality education to each of its citizens requires CSU to continue to evolve into a system that offers the full spectrum of higher education opportunities as it is the institution that educates the largest number of California citizens. It must always strive to offer the best education in the state at the lowest possible cost to the students.

My short-term goals are as follows:

1. The creation of a stable environment for student fees to prevent the seesaw, up and down situation the university is now experiencing. Much of the volatility of fees is directly tied to the exigencies of the flow of resources to the general fund. Fees are increased and decreased based upon the condition of state funding. It seems with a steady and normalized fee structure, revenues for CSU would be more predictable and students could better plan and prepare for their educational experience.
2. In the creation of a stable fee structure for CSU it is my goal, as a Trustee, to keep student fees as low as possible and to ensure financial aid and scholarships are made available to those who are in need of financial support.

Alice A. Huffman
President/CEO

A.C. Public Affairs
1315 I Street, Suite 200
Sacramento, CA
95814

(916) 498-1890
(916) 498-1895 FAX

3. Encourage the administration to maintain staff at all levels, from the chancellor's office, to the Presidents, to the faculty and the classified employees that reflect the demographics of California and CSU's student body.
4. Bring value added to the Trustee operation, whereby we keep an environment of mutual trust and support to the Chancellor so that he can develop quality educational offerings and attract the best and most qualified faculty in the world.
5. To work with the Chancellor in his efforts to create and maintain relationships of trust and collaboration employee organizations and faculty.

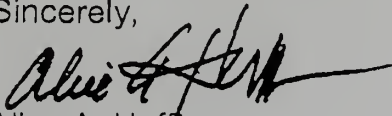
My long-term goals are:

1. Learn the uniqueness of every campus and its offerings to improve my deliberations as a Trustee and to support fellow trustees with informed decisions regarding the implementation of campus plans as approved and prescribed by the Chancellor.
2. Promote the development of more campuses where needed to meet the expanding population of the state.
3. Work with CSU leadership and legislators to permit CSU to offer doctorates in the appropriate fields to California students. It seems unreasonable that a system as distinguished at the CSU does not have its share of doctorate programs.
4. Promote CSU in a manner that will increase its visibility and enhance its value to all Californians to assist in revenue development. The CSU has a great story to tell and Californians who rely upon the system as a fail-safe opportunity for their children to succeed should know it. Businesses who are the greatest beneficiaries of the system should contribute more to its trust funds and endowments. I believe this to be one of the important roles of the trustee.

I will always endeavor to ensure that minority students and personnel are well represented, I will work diligently to ensure that the integrity of the institution is not comprised and that each decision made is on behalf of all Californians.

Thank you for the opportunity to share these thoughts with you.

Sincerely,



Alice A. Huffman,
CSU Trustee

1. The first part of the document is a list of the names of the people who were present at the meeting. The names are listed in alphabetical order.

2. The second part of the document is a list of the topics that were discussed at the meeting. The topics are listed in alphabetical order.

3. The third part of the document is a list of the actions that were taken at the meeting. The actions are listed in alphabetical order.

4. The fourth part of the document is a list of the decisions that were made at the meeting. The decisions are listed in alphabetical order.

5. The fifth part of the document is a list of the recommendations that were made at the meeting. The recommendations are listed in alphabetical order.

6. The sixth part of the document is a list of the conclusions that were reached at the meeting. The conclusions are listed in alphabetical order.

7. The seventh part of the document is a list of the next steps that need to be taken. The next steps are listed in alphabetical order.

8. The eighth part of the document is a list of the people who are responsible for implementing the next steps. The people are listed in alphabetical order.

9. The ninth part of the document is a list of the dates when the next steps are to be completed. The dates are listed in alphabetical order.

10. The tenth part of the document is a list of the people who are responsible for monitoring the progress of the next steps. The people are listed in alphabetical order.

482-R

Additional copies of this publication may be purchased for \$4.50 per copy
(includes shipping and handling) **plus current California sales tax.**

Senate Publications
1020 N Street, Room B-53
Sacramento, CA 95814
(916) 327-2155

Make checks payable to SENATE RULES COMMITTEE.
Please include Stock Number 482-R when ordering.

HEARING
SENATE RULES COMMITTEE

STATE OF CALIFORNIA

DOCUMENTS DEPT.

OCT 03 2003

SAN FRANCISCO
PUBLIC LIBRARY



STATE CAPITOL
ROOM 3191
SACRAMENTO, CALIFORNIA

MONDAY, SEPTEMBER 8, 2003
2:02 P.M.

1 SENATE RULES COMMITTEE

2 STATE OF CALIFORNIA

3
4
5
6 HEARING

7
8
9
10 STATE CAPITOL

11 ROOM 3191

12 SACRAMENTO, CALIFORNIA

13
14
15 MONDAY, SEPTEMBER 8, 2003

16 2:02 P.M.

17
18
19
20
21
22
23
24
25 Reported by:

26
27 Evelyn J. Mizak
28 Shorthand Reporter

APPEARANCESMEMBERS PRESENT

SENATOR JOHN BURTON, Chair

SENATOR ROSS JOHNSON, Vice Chair

SENATOR BETTY KARNETTE

SENATOR WILLIAM KNIGHT

SENATOR GLORIA ROMERO

STAFF PRESENT

GREG SCHMIDT, Executive Officer

PAT WEBB, Committee Secretary

NETTIE SABELHAUS, Consultant on Governor's Appointments

SUSIE SWATT, Consultant to SENATOR JOHNSON

TIM SHELLEY, Consultant to SENATOR KARNETTE

CHRIS BURNS, Consultant to SENATOR KNIGHT

CARY RUDMAN, Consultant to SENATOR ROMERO

ALSO PRESENT

WILLIAM J. JEFFERDS, ED.D., Director
Department of General Services

SENATOR JOHN VASCONCELLOS

RUTH COLEMAN, Director
State Parks and Recreation Department

MONICA MILLER
California State Park Rangers Association
State Parks Foundation

RACHEL DINNO
Trust for Public Land

JULIA LEVIN
National Audubon Society
Audubon California

1 DOUG HOUSTON
2 California Parks and Recreation Society
3 East Bay Regional Park District

4 PETER CONATY
5 Off Road Business Association

6 JACK D. COX, Member
7 Unemployment Insurance Appeals Board

8 ANTHONY S. MOLICA, Director
9 California State Lottery

10 THERESA A. PARKER, Executive Director
11 California Housing Finance Agency

12 CHRISTINE MINNEHAN
13 Western Center on Law and Poverty

14 CHARLES "CHUCK" J. SUPPLE, Member
15 Youthful Offender Parole Board

INDEX

	<u>Page</u>
Proceedings	1
<u>Governor's Appointees:</u>	
WILLIAM J. JEFFERDS, ED.D., Director	
Department of General Services	1
Introduction and Support by	
SENATOR JOHN VASCONCELLOS	1
Questions by SENATOR KNIGHT re:	
Inappropriateness of Memorial	
Stone at Veterans Memorial	2
Questions by SENATOR KARNETTE re:	
Use of Information Technology	3
Statements by CHAIRMAN BURTON re:	
Collect Calls at Prisons and	
Youth Authority Facilities	3
Request to Keep Committee	
Informed	4
Motion to Confirm	4
Committee Action	4
RUTH COLEMAN, Director	
Department of State Parks and Recreation	5
Opening Statement	5
Questions by SENATOR JOHNSON re:	
Duration as Acting Director	6
Questions by SENATOR KARNETTE re:	
Possibility of Closing Parks	6

Questions by CHAIRMAN BURTON re:

Steps Necessary to Implement
Z'berg Park 7

Witnesses in Support:

MONICA MILLER
California State Parks Foundation
California State Park Rangers Association 8

RACHEL DINNO
Trust for Public Land 8

JULIA LEVIN
National Audubon Society
Audubon California 8

DOUG HOUSTON
California Park and Recreation Society
East Bay Regional Park District 9

PETER CONATY
Off Road Business Association 9

Motion to Confirm 9

Committee Action 9

JACK D. COX, Member
Unemployment Insurance Appeals Board 10

Introduction and Support by
SENATOR BETTY KARNETTE 10

Statements by SENATOR JOHNSON re:

Intention of Republicans to
Abstain on All Term Appointments 11

Questions by CHAIRMAN BURTON re:

Effect of Increased Unemployment in
State on Staff's Workload 12

Motion to Confirm 13

Committee Action 13

1	ANTHONY S. MOLICA, Director	
2	California State Lottery	14
3	Background and Experience	14
4	Questions by CHAIRMAN BURTON re:	
5	Gambling Addiction Hotline in	
6	Retail Stores that Sell Tickets	15
7	Questions by SENATOR ROMERO re:	
8	California's Participation in	
9	Multi-State Lotteries	15
10	Impact of Indian Gaming on Lottery	
11	Sales	16
12	Questions by SENATOR KNIGHT re:	
13	Selling Scratchier Tickets without	
14	Top Prize Associated With It	16
15	Motion to Confirm	17
16	Committee Action	18
17	THERESA A. PARKER, Executive Director	
18	California Housing Finance Agency	18
19	Background and Experience	18
20	Statements by CHAIRMAN BURTON re:	
21	Republicans on Committee Will Abstain	19
22	Questions by CHAIRMAN BURTON re:	
23	Role with Homeless Advocacy Groups	19
24	Questions by SENATOR ROMERO re:	
25	Possibility of Consolidating	
26	State Agencies	20
27		
28		

Witness in Support:

CHRISTINE MINNEHAN

Western Center on Law and Poverty 21

Motion to Confirm 22

Committee Action 23

CHARLES "CHUCK" J. SUPPLE, Member

Youthful Offender Parole Board 23

Background and Experience 23

Questions by CHAIRMAN BURTON re:

Length of Time on Board 24

Board's Preparations re: SB 459 24

Board's History of Adding Time to
Wards Unable to Complete Program
Requirements 25

Statements by CHAIRMAN BURTON re:

Intention of Committee Republicans to
Abstain 25

Statement by SENATOR JOHNSON re:

Speediness of Appointment 25

Statements by SENATOR ROMERO re:

Problems with CYA 26

Questions by SENATOR ROMERO re:

Approach in Factoring in
Significance of Education 27Need to Look at Quality of
Programs Offered 28

Questions by SENATOR KARNETTE re:

Need to Look at Ward's Mental Condition and Abilities	28
Motion to Confirm	29
Committee Action	29
Termination of Proceedings	30
Certificate of Reporter	31
ATTACHMENTS: Statements of Goals	
WILLIAM J. JEFFERDS	32
RUTH COLEMAN	35
JACK D. COX	38
ANTHONY S. MOLICA	39
THERESA A. PARKER	40
CHARLES J. SUPPLE	42

P-R-O-C-E-E-D-I-N-G-S

--ooOoo--

CHAIRMAN BURTON: We will go to Senator Vasconcellos for General Jefferds, Director of the Department of General Services.

SENATOR VASCONCELLOS: Mr. Chair, Members, thank you.

Saturday at a family reunion my cousin, close cousin, Patty Stetson, asked me, "Do you remember my boss at school?" I said, "Yeah, Bill Jefferds." She said, "Yeah, he was a great guy." I said, "I'm going to introduce him on Monday to the Rules Committee."

I've known Jefferds for 40 years. He was a distinguished educator, a distinguished military man throughout the State's Guard up through general, bright, honest, noncontroversial.

In addition, I think he's an automatic approval, unless there's something I don't know about.

I won't take a lot of your time. He's a fine guy.

CHAIRMAN BURTON: General.

DR. JEFFERDS: Thank you, Mr. Chairman.

You have my written comments. I'm looking forward to this position. I think I can bring some background of experience in both the education community and military community acquisition, and I'm ready to assume that role and responsibility.

CHAIRMAN BURTON: I never thought of acquisition

1 as being one of the military's strongest --

2 [Laughter.]

3 CHAIRMAN BURTON: Senator Johnson.

4 SENATOR JOHNSON: No questions.

5 CHAIRMAN BURTON: Senator Romero.

6 SENATOR ROMERO: No questions.

7 CHAIRMAN BURTON: Senator Knight.

8 SENATOR KNIGHT: I hate to do this. I've
9 supported the General for a long time, but I've got to ask you a
10 question and see what we're going to do about it.

11 There was a memorial placed at the Veterans
12 Memorial out there. I'm sure you're aware of it.

13 I think it was totally inappropriate, first of
14 all, the way it was done, and secondly, the wording on the
15 memorial.

16 And my concern is really what the procedures are
17 for placing those kinds of stones, and what we're going to do
18 about the particular one that we're questioning?

19 DR. JEFFERDS: Senator, I was briefed by my staff
20 this morning.

21 Obviously there was some disconnect between the
22 Department of Veterans Affairs and our office. I have asked for
23 a meeting immediately with Secretary Johannessen to look at the
24 process, the procedures, and to come back with a very structured
25 environment so this would not -- the process would be corrected.

26 SENATOR KNIGHT: And I guess I'm questioning what
27 we do with the particular stone that's there right now. I don't
28 think it's in compliance with the rest of the --

1 DR. JEFFERDS: That's what we want to take a look
2 at, is how the process worked, what were the breakdowns, and
3 then to take a look at what the next step would be in that area.

4 SENATOR KNIGHT: Thank you.

5 That's all.

6 CHAIRMAN BURTON: Senator Karnette.

7 SENATOR KARNETTE: I'd like to know how
8 information technology can help us keep track of what we own,
9 and what we want to get rid of, and the surplus and such, if
10 that will help, and how?

11 DR. JEFFERDS: Yes, ma'am, it will happen. What
12 we're taking a look at is what the IT systems we have to keep
13 track of our property, to cost accounting it, and then to see
14 what could be surplus.

15 What I'd like to do is incentivize that. One of
16 the things we found with military bases, we were not clearing
17 excess property because there was no incentive for them. So,
18 one of the things I want to look at with the Department of
19 Finance is how we incentivize any of the property sales so that
20 the end user can get some benefit. Then I think you'll see
21 property that can go on the surplus list.

22 SENATOR KARNETTE: Thank you.

23 CHAIRMAN BURTON: One of the things that General
24 Services is in the process of negotiating are new contracts for
25 the Department of Corrections and the Youth Authority, which is
26 an issue we're very interested in because basically all the
27 calls are collect. And you could use a pay phone anywhere in
28 the world and call almost three times cheaper.

1 We're just very interested to see that when
2 people are calling their families, it's not used as some kind of
3 a general fund supplement.

4 So, we would very much appreciate you keeping
5 this Committee and also probably the budget subcommittees that
6 deal with Corrections and Youth Authority, and your own budget,
7 which I guess would be Sub 4, at least in our house, up to date
8 on that; okay, General?

9 DR. JEFFERDS: Again, I had a briefing on that.
10 There have been some reductions. I know we can achieve more of
11 those reductions.

12 CHAIRMAN BURTON: Any witnesses in support?
13 Witnesses in opposition?

14 Move the nomination by Colonel Knight.

15 SENATOR KNIGHT: Excellent choice.

16 CHAIRMAN BURTON: I thought so?

17 Call the roll.

18 SECRETARY WEBB: Senator Karnette.

19 SENATOR KARNETTE: Aye.

20 SECRETARY WEBB: Karnette Aye. Senator Knight.

21 SENATOR KNIGHT: Aye.

22 SECRETARY WEBB: Knight Aye. Senator Romero.

23 SENATOR ROMERO: Aye.

24 SECRETARY WEBB: Romero Aye. Senator Johnson.

25 SENATOR JOHNSON: Aye.

26 SECRETARY WEBB: Johnson Aye. Senator Burton.

27 CHAIRMAN BURTON: Aye.

28 SECRETARY WEBB: Burton Aye. Five to zero.

1 CHAIRMAN BURTON: Congratulations, General.

2 DR. JEFFERDS: Thank you.

3 CHAIRMAN BURTON: Did you have your family here,
4 General? Would you like to introduce them?

5 DR. JEFFERDS: Yes. My wife of 53 years.

6 MRS. JEFFERDS: Fifty-four.

7 DR. JEFFERDS: My daughter, Jenelle, who lives
8 with us, our middle daughter. Our oldest daughter is in Tacoma.
9 She's a former sergeant of the Guard in California. My oldest
10 daughter is a former Navy nurse. And my son, Mark, who works in
11 IT down at San Juan Marco.

12 Thank you very much for allowing that, Senator.

13 SENATOR KNIGHT: I want you to know that's the
14 first mistake he's made all year.

15 [Laughter.]

16 CHAIRMAN BURTON: Ruth Coleman, Director of
17 Parks.

18 MS. COLEMAN: Thanks, Senators.

19 I'm Ruth Coleman. I've been acting Director of
20 State Parks for about 18 months, and so I'm ready for this job.
21 It's something I've gotten used to at this point.

22 And it's been a real challenge with the budget,
23 but I intend to continue meeting that challenge.

24 We are the second largest law enforcement unit in
25 the state, and so we're providing real important both homeland
26 security and security in the state parks for both rural
27 California and urban California.

28 The guiding principle of State Parks is that

1 every decision we make, we consider its effect on seven
2 generations in the future. It comes from the Iroquois Nation.
3 This is a guiding principle that I've been using for the past 18
4 months, and it's the principle that I would intend to keep using
5 to guide me as we make decisions, as we move forward.

6 So, I appreciate your consideration today. Thank
7 you.

8 CHAIRMAN BURTON: Senator Johnson.

9 SENATOR JOHNSON: You've been acting for how
10 long?

11 MS. COLEMAN: Director Areias left in January of
12 2002.

13 SENATOR JOHNSON: Another wise investment,
14 Mr. Chairman.

15 So it's a year-and-a-half?

16 MS. COLEMAN: Yes, I've been Chief Deputy all
17 this time and also Director, and I intend to keep doing both
18 jobs.

19 SENATOR JOHNSON: I just find it passing strange
20 that the Governor's in such a rush to make so many appointments
21 now, when he was apparently not in a rush before.

22 I have no questions of the nominee.

23 CHAIRMAN BURTON: Senator Romero.

24 SENATOR ROMERO: No questions.

25 CHAIRMAN BURTON: Senator Karnette.

26 SENATOR KARNETTE: Do you foresee closure of
27 parks?

28 MS. COLEMAN: It's possible, given the impacts of

1 Section 4010 in the Budget Act.

2 We're still receiving direction from Finance and
3 still working with the administration to assess the size of the
4 impact and how we can implement it. But it's a fairly
5 substantial additional cut.

6 SENATOR KARNETTE: Thank you.

7 CHAIRMAN BURTON: What are the steps to implement
8 the Z'berg Park? They just a sign up, or what?

9 MS. COLEMAN: We would need to put up a sign.
10 There's two large entrance signs. Each one costs \$15,000, so at
11 30,000, that's the equivalent of about a park aide-and-a-half.
12 So, right now we've having to -- it's the same pot as park
13 aides. It's our discretionary fund.

14 We'll probably look for private funds.

15 CHAIRMAN BURTON: You can't take private funds?

16 MS. COLEMAN: To put up a sign?

17 CHAIRMAN BURTON: Yeah, I'm asking.

18 MS. COLEMAN: Yes, we can. There's no
19 prohibition. We have had other signs paid for.

20 CHAIRMAN BURTON: Find a Czech to write a check.
21 Well, let us know, and we'll figure out a way to
22 get the money.

23 MS. COLEMAN: Okay.

24 CHAIRMAN BURTON: I want to make the neighbors
25 really happy.

26 Did you have any family here with you?

27 MS. COLEMAN: No. My husband is giving a speech
28 right now, and I have a fourth grader and a six grader, and

1 they're both in school.

2 CHAIRMAN BURTON: Witnesses in support?

3 MS. MILLER: Mr. Chair and Members, Monica
4 Miller representing the California State Parks Foundation as
5 well as the California State Park Rangers Association.

6 We're in strong support. Ruth has just done a
7 phenomenal job, and we would really appreciate your support of
8 her confirmation today.

9 Thank you.

10 CHAIRMAN BURTON: Get some money into the
11 Foundation for the Z'berg plaque, without whom there wouldn't be
12 a park there.

13 MS. DINNO: Good afternoon. I'm Rachel Dinno
14 with the Trust for Public Land.

15 We've had the honor of working with Ruth Coleman
16 as she's had many hats at the Department of Parks and Recreation
17 simultaneously and highly endorse her leadership capabilities
18 and her commitment to protecting the state's public resources
19 and providing recreational opportunities to Californians.

20 MS. LEVIN: I'm Julia Levin with the National
21 Audubon Society and Audubon California. We also strongly
22 support the confirmation of Ruth Coleman.

23 She's helped to streamline the Department of
24 Parks, and she's really helped to emphasize parks in urban
25 areas, and parks that benefit communities that have
26 traditionally been underserved by State Parks, and we strongly
27 appreciate that effort.

28 Thank you.

1 MR. HOUSTON: Mr. Chair and Members, Doug Houston
2 with the California Park and Recreation Society, along with the
3 East Bay Regional Park District.

4 We've had a tremendous relationship with Ms.
5 Coleman over the years. We, too, strongly endorse her
6 confirmation.

7 MR. CONATY: Pete Conaty, representing the Off
8 Road Business Association and other off road motorized
9 recreation enthusiasts.

10 CHAIRMAN BURTON: I guess you're opposing her.

11 MR. CONATY: We're in support of this nomination
12 because of the fair and balanced approach State Parks has taken
13 towards our. Recreation.

14 Thank you, sir.

15 CHAIRMAN BURTON: Thank you, Peter.

16 Witnesses in opposition?

17 Hearing none, move the nomination.

18 SECRETARY WEBB: Senator Karnette.

19 SENATOR KARNETTE: Aye.

20 SECRETARY WEBB: Karnette Aye. Senator Knight.

21 SENATOR KNIGHT: Aye.

22 SECRETARY WEBB: Knight Aye. Senator Romero.

23 SENATOR ROMERO: Aye.

24 SECRETARY WEBB: Romero Aye. Senator Johnson.

25 SENATOR JOHNSON: Aye.

26 SECRETARY WEBB: Johnson Aye. Senator Burton.

27 CHAIRMAN BURTON: Aye.

28 SECRETARY WEBB: Burton Aye. Five to zero.

1 CHAIRMAN BURTON: Jack Cox.

2 MR. COX: Mr. Chairman, Senators.

3 SENATOR KARNETTE: Members of the Rules
4 Committee, Jack Scott [sic] and I have known each other for how
5 long, Jack?

6 CHAIRMAN BURTON: How about you and Jack Cox.

7 [Laughter.]

8 SENATOR KARNETTE: Sorry.

9 MR. COX: About forty.

10 Testing my memory, Mr. Chairman.

11 SENATOR KARNETTE: For many years, okay?

12 There's one thing I know about him. He is always
13 there when you need him. If he says he's going to be at a
14 meeting and get something done, he does. And I think that's
15 what I like in a person who works with and for the government
16 and for us.

17 I really think you will do a great job like
18 you've always done, and I know that for a fact, and I would
19 encourage everybody to support him. He will continue to do the
20 job that he's been doing.

21 MR. COX: Thank you.

22 CHAIRMAN BURTON: Go ahead.

23 MR. COX: Mr. Chairman, I don't have a speech or
24 a detail.

25 I've been on this job for almost three-and-a-half
26 years with the Unemployment Insurance Appeals Board, and have
27 worked ever since I've been there, trying to do the best job
28 possible for a lot of people who have been unemployed. We all

1 know the problems with the economy and the rest of it, that
2 there are some minor things that we're trying to get done.

3 And I've certainly enjoyed the work. I would
4 appreciate your favorable consideration for continuation.

5 CHAIRMAN BURTON: Senator Johnson.

6 SENATOR JOHNSON: Thank you, Mr. Chairman.

7 Mr. Cox, I don't intend to vote against you
8 today, but neither do I intend to vote for you. It has nothing
9 to do with you, or your qualifications, or the job that you've
10 been doing.

11 It's simply a recognition of the fact that we
12 have an election in four weeks time. And at that time, we may,
13 in four weeks time, have a new governor in California. And I've
14 always believed that any governor has the right to name the
15 people that he or she wants, absent an obvious
16 disqualification. And that's certainly not the case with you.

17 Your appointment is not placed in any jeopardy if
18 it weren't taken up this year. Accordingly, I intend to
19 abstain.

20 I just wanted to lay that out for you, that it
21 has nothing whatever to do with your qualifications, but rather
22 a recognition that we may have new governor in a few weeks.
23 Whoever he or she is, if that's the case, ought to have the
24 right to name whoever they will.

25 So, it's my intention to abstain not just on
26 this, but on any of the term appointments, as opposed to
27 pleasure appointments.

28 I wanted to tell you that.

1 CHAIRMAN BURTON: And that's been Senator
2 Johnson's and Senator Knight's policy on all of the
3 gubernatorial appointees of recent that are for term that go
4 beyond this. But it's, again, nothing toward any candidate.

5 Fortunately, you're in a position where 21 votes
6 can confirm.

7 Senator Romero.

8 SENATOR ROMERO: No questions.

9 CHAIRMAN BURTON: Senator Knight.

10 SENATOR KNIGHT: No questions.

11 CHAIRMAN BURTON: Senator Karnette already spoke
12 for herself.

13 With the increase in unemployment in the state,
14 how does that affect not just the Board's workload but the
15 staff's workload? Are they able to keep current, Jack?

16 MR. COX: Well, it does because you have a slight
17 reduction in personnel, legal personnel. And the Department is,
18 unfortunately, blessed with more unemployed people, and they're
19 certainly not blessed being in that position.

20 But if there's some heavy duty or matters, I did
21 bring along the chief legal officer to fall on the sword in case
22 something that was wrong.

23 CHAIRMAN BURTON: Do you have family with you,
24 Jack?

25 MR. COX: I sure do, Mr. Chairman and Committee.

26 I was totally surprised. I have my beautiful
27 bride of six years with me. If she will stand up. And next to
28 her is Mr. J. R. Solano from the Department.

1 But there is a couple there standing with a baby.
2 That is my number one son, John, and his wife Tasha, with a
3 six-month-old today baby, that I got the call on my cell phone
4 and said, "Where are you at?"

5 And I said, "I'm in Sacramento."

6 "What floor are you on?"

7 This is when I knew that somebody had tracked me
8 here.

9 CHAIRMAN BURTON: Number one meaning oldest?

10 MR. COX: Yes, sir.

11 CHAIRMAN BURTON: Having been one of three, we
12 didn't like the -- I was the baby so I was cool, but the middle
13 brother wasn't too cool.

14 Witnesses in support? Witnesses in opposition?

15 Move the nomination.

16 SECRETARY WEBB: Senator Karnette.

17 SENATOR KARNETTE: Aye.

18 SECRETARY WEBB: Karnette Aye. Senator Knight.

19 SENATOR KNIGHT: Aye.

20 SECRETARY WEBB: Knight Aye. Senator Romero.

21 SENATOR ROMERO: Aye.

22 SECRETARY WEBB: Romero Aye. Senator Johnson.

23 SENATOR JOHNSON: Abstain.

24 SENATOR KNIGHT: I'm sorry.

25 SECRETARY WEBB: Senator Knight Abstain. Senator
26 Burton.

27 CHAIRMAN BURTON: Aye.

28 SECRETARY WEBB: Burton Aye. Three to zero.

1 CHAIRMAN BURTON: Ayes three, noes none.

2 Congratulations, Jack.

3 MR. COX: Thank you to the Committee. Thank you
4 very much.

5 CHAIRMAN BURTON: Anthony Molica. Is that the
6 correct pronunciation, sir?

7 MR. MOLICA: Yes, Mr. Chairman.

8 Good afternoon, Chairman Burton, Committee
9 Members.

10 My name is Tony Molica. Thank you for this
11 opportunity to briefly address the Committee concerning my
12 appointment.

13 I'm honored to return home to California and to
14 the Lottery, where I was fortunate to be one of the original
15 staff members in 1985. My recent gubernatorial appointment is
16 supported by my 17 years of experience at the California
17 Lottery, where I held various positions in the Sales Division,
18 including the Director of Sales.

19 In June of 2002, after a nationwide search, I was
20 appointed by Washington Governor Gary Locke as the Executive
21 Director at the Washington Lottery. My experience as Executive
22 Director of the Washington Lottery was critical in preparing me
23 for the expanded responsibilities I now gladly accept in
24 California.

25 In addition to my lottery experience, my
26 background as a business owner in California for 14 years
27 provides me an important retail and management perspective.

28 Lastly, 10 years as a school teacher in

1 California schools solidified my interest in and my dedication
2 to supporting crucial public education programs.

3 Thank you for your time, and I look forward to
4 serving the people of California as the Director of the
5 California Lottery.

6 CHAIRMAN BURTON: Do you think California should
7 require retailers who sell lottery tickets to put a gambling
8 addiction hotline in their stores?

9 MR. MOLICA: Mr. Chairman, my experience is that
10 in Washington, it was very much proactive with the problem
11 gambling issue in that state. I understand recently in
12 California, there's an 800 number on the back of our tickets,
13 and obviously would support that kind of program where retailers
14 would actively support our problem gambling initiative.

15 CHAIRMAN BURTON: Senator Johnson.

16 SENATOR JOHNSON: No questions.

17 CHAIRMAN BURTON: Senator Romero.

18 SENATOR ROMERO: Let me ask you, there's been
19 some talk about multi-state lotteries and other states do this.
20 What is your perception on this?

21 MR. MOLICA: Senator, my experience in Washington
22 most recently for the last 14 months is, Washington was one of
23 the mega-million states, participating in a game with 10 other
24 states. It was very successful in increasing our sales and,
25 obviously, profits to education.

26 So, I think that in California, it's one of the
27 two remaining states that are not participating in one of those
28 multi-state games, and certainly would want to do the research

1 appropriate to determine whether it would be the right fit for
2 California.

3 SENATOR ROMERO: So, that's something that you
4 would be doing if confirmed, is starting that research to see
5 whether or not California might emulate such a model?

6 MR. MOLICA: Correct.

7 SENATOR ROMERO: Then my second question, what's
8 been the impact of Indian gaming on Lottery sales and activity?

9 MR. MOLICA: Again, Senator, I've only been back
10 in California for four days. But my perspective would be that
11 tribal gaming is one of the multitude of options that
12 Californians have in terms of their gaming opportunities.

13 It appears as though the impact has been not very
14 significant. But again, I don't think there's a lot of
15 substantial research that's been done recently regarding that,
16 and we certainly will be looking into that.

17 My experience in Washington as the Director up
18 there, where there were a multitude of tribal gaming situations
19 along with many casinos up there, the privately run casinos,
20 that it didn't have a significant impact on the lottery
21 business.

22 SENATOR ROMERO: Thank you.

23 CHAIRMAN BURTON: Senator Knight.

24 SENATOR KNIGHT: Thank you.

25 In Washington, your experience there, did they
26 ever have any problems with selling Scratch tickets without
27 the appropriate top prize associated with it?

28 MR. MOLICA: Senator, we have a process in

1 Washington in which the game information is provided to players
2 so they know when the top prize has been sold in any particular
3 game, and we never experienced any problems with that.

4 SENATOR KNIGHT: I assume that you'll bring that
5 expertise to California and make sure that we don't do that any
6 more?

7 MR. MOLICA: I believe there's already a process
8 in place in California to make sure that doesn't happen again,
9 but certainly I'll use whatever wisdom and expertise I've gained
10 in Washington down here.

11 SENATOR KNIGHT: Thank you.

12 CHAIRMAN BURTON: Senator Karnette.

13 SENATOR KARNETTE: No questions.

14 CHAIRMAN BURTON: Call the roll on this pleasure
15 appointment.

16 Support? Opposition?

17 Family?

18 MR. MOLICA: I'm sorry. My family is still in
19 Washington at this moment.

20 CHAIRMAN BURTON: Call the roll.

21 SECRETARY WEBB: Senator Karnette.

22 SENATOR KARNETTE: Aye.

23 SECRETARY WEBB: Karnette Aye. Senator Knight.

24 SENATOR KNIGHT: Aye.

25 SECRETARY WEBB: Knight Aye. Senator Romero.

26 SENATOR ROMERO: Aye.

27 SECRETARY WEBB: Romero Aye. Senator Johnson.

28 SENATOR JOHNSON: Aye.

1 SECRETARY WEBB: Johnson Aye. Senator Burton.

2 CHAIRMAN BURTON: Aye.

3 SECRETARY WEBB: Burton Aye. Five to zero.

4 CHAIRMAN BURTON: Congratulations, sir.

5 MR. MOLICA: Thank you very much.

6 CHAIRMAN BURTON: Theresa Parker, Terry
7 Parker.

8 MS. PARKER: Good afternoon, Mr. Chairman and
9 Senators.

10 I'm here today seeking your support for
11 reappointment as the Executive Director of the California
12 Housing Finance Agency.

13 I've laid my credentials of 28 years of serving
14 the citizens of the State of California in various positions.

15 I'm certainly here to offer my accomplishments of
16 my first term as the Executive Director of Cal HFA, including
17 our multi-family lending by 273 percent, our lending to
18 first-time home buyers of 30 percent, creating new and
19 innovative programs to partner with localities, reinventing the
20 Agency's mortgage insurance program, and preserving the largest
21 single rental project west of the Mississippi, 700 units in El
22 Rancho Verde, El Rancho Verde in San Jose.

23 When I appeared before you last time for
24 confirmation to my first term, the Committee was very generous
25 to give me the opportunity to demonstrate my ability to lead the
26 state's affordable housing bank. In other words, you gave me
27 the benefit of the doubt.

28 Today I hope I can earn your vote based on a

1 proven track record.

2 Thank you, mr. Chairman.

3 CHAIRMAN BURTON: Thank you.

4 You were here, I think, during Senator Johnson's
5 comment to Jack Cox, and as you have a term appointment, that
6 neither Republican will be voting.

7 But again, it has nothing to do with you --

8 MS. PARKER: Thank you.

9 CHAIRMAN BURTON: -- but has to do with the fact
10 that it's a term appointment with the election.

11 What, if anything, is your role with homeless
12 advocacy groups or things of that sort?

13 MS. PARKER: Senator, our agency doesn't provide
14 any programmatic support directly for programs that serve the
15 homeless.

16 However, we do provide funding for programs that
17 sort of keep people out of becoming homeless.

18 In other words, we finance special needs,
19 lending, the creation of special housing for mentally ill,
20 disabled, people who might be very much in danger of being
21 homeless.

22 CHAIRMAN BURTON: How about things like Quinn
23 Cottages? Are they eligible for stuff through you? Are you
24 familiar with them?

25 MS. PARKER: I am familiar with them, Senator.
26 Typically, they receive funding through the Department of
27 Housing and Community Development.

28 But we are working very much with our sister

1 state agency to see if there are any partnerships where their
2 grant programs and our lending programs can be complementary.

3 CHAIRMAN BURTON: Thank you.

4 Senator Johnson.

5 SENATOR JOHNSON: No questions.

6 CHAIRMAN BURTON: Senator Romero.

7 SENATOR ROMERO: Thank you.

8 California has four state-financed housing
9 agencies. A lot of people have said this is duplicative.
10 There's costs involved, there's red tape.

11 Do we need four state agencies? And what can you
12 tell us you would do or have done to perhaps consolidate and
13 move forward?

14 MS. PARKER: Senator, actually that subject has
15 been studied substantially. In fact, Little Hoover looked at it
16 just as recently as about a year-and-a-half ago.

17 I have sister state agencies. My colleagues, I
18 work with all of them. We essentially do different things and
19 serve different clienteles, although we look for ways to
20 partner; we look for ways for us to make sure that the paper
21 work is seamless between them.

22 And I -- I think I would offer, really, that
23 there's the best relationship between the California Department
24 of Housing and Community Development, the Tax Credit Allocation
25 Committee, the Debt Limit Allocation Committee, and the Housing
26 Finance Agency that has ever existed.

27 We recognize that it shouldn't be a situation
28 where there should be a lot of bureaucracy, but instead, people

1 should be able to look at government and essentially not be
2 having to waste their time and money by going through a bunch of
3 state agencies. So, we've worked very hard to streamline, look
4 for ways to partner in that sense to eliminate any duplication
5 we possibly can.

6 SENATOR ROMERO: But not necessarily to
7 consolidate?

8 MS. PARKER: You know, the study that was done
9 several years ago actually asked constituency groups if they
10 would like to see us essentially combined. And the resounding
11 response was, no; that they prefer the opportunity -- instead of
12 there being a huge organization, to be able to go to each
13 individual for what they need as long as they are not in a
14 situation where they're having to choose one program over
15 another program.

16 SENATOR ROMERO: Thank you.

17 CHAIRMAN BURTON: Senator Knight.

18 SENATOR KNIGHT: No questions.

19 CHAIRMAN BURTON: Senator Karnette.

20 SENATOR KARNETTE: No questions.

21 CHAIRMAN BURTON: Witnesses in support?

22 MS. MINNEHAN: Christine Minnehan, Western Center
23 on Law and Poverty.

24 We've worked with the California Housing Finance
25 Agency since its inception over two decades ago, and Ms. Parker
26 has, without a doubt, taken the Agency forward with a quantum
27 leap in terms of serving what we believe its original mission
28 was, which was to increase the supply of affordable rental

1 housing, and to move forward with innovative programs that do
2 prevent homelessness, or step in and provide the continuum from
3 homelessness into permanent housing.

4 Secondly, Senator Romero, we worked -- Western
5 Center was represented on the Business, Transportation and
6 Housing Task Force that looked at the duplication between the
7 various bodies. And there was a substantial movement forward in
8 making sure that we were using the same documentation, the same
9 insurance, that the eligible tenants were actually in place,
10 ensuring that the dates were linear so that you could apply for
11 the various funding programs.

12 And in fact, it has been very helpful with
13 various programs to have the creative tension between the
14 various agencies so you are able to accomplish the things that
15 are better accomplished with a financing or better accomplished
16 with a policy and/or a new innovative program.

17 So, we think it works to create more, and better,
18 and more responsive housing opportunities because of having the
19 separate agencies.

20 Thank you.

21 CHAIRMAN BURTON: Witnesses in opposition?

22 Move the nomination.

23 Do you have family here?

24 MS. PARKER: I was really hoping that my daughter
25 was going to be here, but I don't think that she made it.

26 But I have a group of very strong women here that
27 are in support that I consider part of my family. So, they're
28 standing in for my daughter.

1 CHAIRMAN BURTON: Call the roll.

2 SECRETARY WEBB: Senator Karnette.

3 SENATOR KARNETTE: Aye.

4 SECRETARY WEBB: Karnette Aye. Senator Knight.

5 Senator Romero.

6 SENATOR ROMERO: Aye.

7 SECRETARY WEBB: Romero Aye. Senator Johnson.

8 SENATOR JOHNSON: Abstain.

9 SECRETARY WEBB: Senator Burton.

10 CHAIRMAN BURTON: Aye.

11 SECRETARY WEBB: Burton Aye. Three to zero.

12 CHAIRMAN BURTON: Congratulations.

13 MS. PARKER: Thank you very much, Senator.

14 CHAIRMAN BURTON: Chuck Supple, Youthful Offender
15 Parole Board.

16 MR. SUPPLE: Mr. Chairman and Members of the
17 Committee, I want to thank you for the opportunity to have my
18 name considered for confirmation of my appointment to this very
19 important board.

20 I bring over 20 years of experience working in
21 the field of youth development, specifically creating
22 opportunities for young people to develop as citizens through
23 serving their community, having done that initially here in
24 California at the University of California at Berkeley, and then
25 in Washington, D.C., at the federal level for over 10 years, and
26 then back here in California, most recently serving as the head
27 of the Governor's Office on Service and Volunteerism for the
28 past three years, where I've been responsible for administering

1 the Federal Americorps Program throughout the state.

2 I think that at this particular time with regard
3 to the Board, I bring a substantial and unique background,
4 particularly at a time when a lot of exciting changes are taking
5 place with recent legislation that was acted that will have a
6 tremendous impact on the California Youth Authority as well as
7 the Youthful Offender Parole Board.

8 CHAIRMAN BURTON: How long have you been on the
9 Board?

10 MR. SUPPLE: I have been on the Board for one
11 week.

12 CHAIRMAN BURTON: So much for these questions.
13 You're familiar with SB 459?

14 MR. SUPPLE: I am.

15 CHAIRMAN BURTON: Would you have any idea what
16 the Board's doing to prepare for it going into effect at all?

17 MR. SUPPLE: I have had the opportunity to meet
18 with the Executive Officer as well as the Chair of the Board to
19 tour some of the facilities, and have talked about the type of
20 training in particular that I will be receiving, which will be
21 substantial, having to do with just the basics of the job as
22 well as the type of treatment, education, programs, that the
23 wards are undertaking.

24 So, I look forward to being able, in particular
25 with that respect, to the legislation, being able to learn as
26 much as I can as formally as possible with all the
27 responsibilities.

28 CHAIRMAN BURTON: One of the problems, among

1 others, that we've had with the Board is, they exceed their own
2 length in state guidelines. They basically have had a history
3 of adding time to wards who didn't meet certain program
4 requirements when there was no space in the program for them to
5 meet.

6 I think at least Bob Presley and whoever the
7 Director of Youth Authority is, I think, committed themselves to
8 get rid of that kind of stupid operation.

9 I was just looking at your background. I believe
10 that as member of the Board you'll be good on that, because what
11 we hope to do with these kids, the ones that have a chance of
12 getting back in society and not becoming hardened criminals, is
13 make sure that they're programmed enough, and educated enough,
14 and trained enough that they realize the error of their ways.

15 And I think you were here, being that you're a
16 term appointment, but the statements of Senator Johnson and
17 Senator Knight have made with the other term appointments holds
18 to you as well.

19 Senator Johnson, any questions?

20 SENATOR JOHNSON: No questions, just an
21 additional comment.

22 I'm just struck by the speed with which this
23 appointment is being made in contrast to Ms. Coleman, who sat
24 for 18 months.

25 But again, no reflection on you, sir. It's
26 because of the term nature of the appointment we intend to
27 abstain.

28 Thank you.

1 CHAIRMAN BURTON: I think he was probably
2 replacing a vacancy, and she was replacing herself, which makes
3 hers a little bit more standoutish, as it were, I guess.

4 SENATOR JOHNSON: I'm just struck by the apparent
5 disparity, Mr. Chairman.

6 CHAIRMAN BURTON: The juxtaposition of one
7 vis-a-vis the other.

8 Senator Romero.

9 SENATOR ROMERO: I believe we have a problem with
10 CYA. I think a very serious problem in terms of how we
11 incarcerate, conditions of parole. The effectiveness, even, to
12 CYA in taking a look at the recidivism rate, and then taking a
13 look at the rate by which our youth incarcerated at CYA end up
14 at CDC.

15 So, I think that this Board to which you are
16 being appointed, I believe, is a very important board, and it's
17 one that I have critiqued consistently. And I would look
18 forward to working with you should you be confirmed.

19 One of the missions, of course, of CYA is to take
20 a look at education. It becomes an issue for parole and
21 probation.

22 I have visited some of our CYA facilities. And
23 what passes as a classroom, sometimes it's a cage. I mean,
24 literally as large as a phone booth. A youth is provided with a
25 handout for an hour a day, and that passes as education in
26 California.

27 I finds it abominable. That's not education to
28 me.

1 How do you factor in, as a member of the Board
2 for one week, but let's draw on your experience in going
3 forward. What will you be looking for as a member of this Board
4 in factoring in the significance of education in rehabilitating
5 youth into society and not into CDC? What's your approach to
6 education?

7 MR. SUPPLE: I think certainly one of the most
8 significant responsibilities of a Board member is making a
9 decision about whether or not the ward will be released on
10 parole.

11 Much of that decision needs to be based on their
12 having successfully completed the programs that were assigned to
13 them. And that depends upon, in terms of being able to weigh
14 our decision, in my mind, very much on the quality of those
15 programs.

16 So, what is incumbent upon me, and one that just
17 by principle I am driven to do, is to learn as much as I
18 possibly can about what is currently offered, the quality of
19 those programs, and is there a connect between their fitness for
20 parole and having successfully completed the programs, and the
21 quality of the program. I think there is a definite connection
22 there.

23 Probably one of the most challenging educational
24 environments, I'm certain, although obviously not having
25 experienced it very much, a very difficult position to recruit
26 people for and to sustain people for being teachers in that type
27 of environment.

28 But the bottom line, if you cannot provide them

1 an education, if they cannot read, it is not going to do us any
2 service to have them released onto the streets, having prepared
3 them not at all to be able to play an effective role as a
4 citizen.

5 So, I am wanting very much to be able to take a
6 look at exactly what is the quality of the education that they
7 are being provided, and to the extent as we are making those
8 decisions about parole or not to parole, that we can use that as
9 an opportunity to be able to encourage and support change where
10 quality does need to be improved.

11 SENATOR ROMERO: I urge you to take a look at the
12 programs. I think we offer programs; we're program-happy.

13 I think the real challenge is, what's the quality
14 of that program?

15 I just really urge you, as a member of the Board,
16 to see what we can do to, perhaps, enhance the quality and not
17 just offer the programs.

18 CHAIRMAN BURTON: Senator Knight.

19 SENATOR KNIGHT: No questions.

20 CHAIRMAN BURTON: Senator Karnette.

21 SENATOR KARNETTE: My thought goes along with
22 Senator Romero's.

23 I know there are many young people that have
24 mental concerns, mental problems. And when they come up for
25 parole, those conditions, those mental conditions, may prevent
26 them from doing the things they need to do, the criteria that's
27 been set up.

28 I would hope that people would look at their

1 mental abilities as well as their attitudes, because there are
2 all kinds of extenuating circumstances. They might be a much
3 different person if they're paroled, better person.

4 I'm wondering, and I know it's difficult to
5 project, but I would hope that you would take into consideration
6 their mental ability as well as their mental condition, because
7 so many young people that get into these situations have vary
8 serious mental health problems, to put it mildly.

9 I'm sure you will, but that's another condition
10 that we haven't mentioned too much.

11 CHAIRMAN BURTON: Do you have any family with
12 you?

13 MR. SUPPLE: Hard at work and in school.

14 CHAIRMAN BURTON: Witnesses in support?
15 Witnesses in opposition?

16 Move the nomination.

17 SECRETARY WEBB: Senator Karnette.

18 SENATOR KARNETTE: Aye.

19 SECRETARY WEBB: Karnette Aye. Senator Knight.
20 Senator Romero.

21 SENATOR ROMERO: Aye.

22 SECRETARY WEBB: Romero Aye. Senator Johnson.

23 SENATOR JOHNSON: Abstain.

24 SECRETARY WEBB: Senator Burton.

25 CHAIRMAN BURTON: Aye.

26 SECRETARY WEBB: Burton Aye. Three to zero.

27 CHAIRMAN BURTON: Congratulations.

28 MR. SUPPLE: Thank you very much.

1
2 [Thereupon this portion of the
3 Senate Rules Committee hearing
4 was terminated at approximately
5 2:45 P.M.]

6 --ooOoo--
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

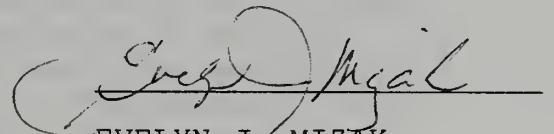
CERTIFICATE OF SHORTHAND REPORTER

I, EVELYN J. MIZAK, a Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing transcript of the Senate Rules Committee hearing was reported verbatim in shorthand by me, Evelyn J. Mizak, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said hearing, nor in any way interested in the outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of September, 2003.


EVELYN J. MIZAK
Shorthand Reporter

**DEPARTMENT OF GENERAL SERVICES****Executive Office**

The Ziggurat • 707 Third Street, Eighth Floor • PO Box 989052 • West Sacramento, CA 95798-9052 • (916) 376-5000

September 4, 2003

The Honorable Senator John Burton
Chairman, Senate Rules Committee
State Capitol, Room #420
Sacramento, CA 95814

Dear Senator Burton,

I welcome the opportunity to speak with you and members of the Senate Rules Committee during my confirmation hearing set for Monday, September 8 and look forward to conveying to you and the other members my knowledge, background and desire to bring about positive change in government.

As you are aware, the DGS was established to provide a number of business functions for the state, from real estate services to acquisition of goods and supplies, from the state's automotive fleet to adjudication hearings and legal review, from telecommunications to school construction. I have done all of these things in one form or another throughout my career. The goals we need to accomplish are not unique, the challenges not insurmountable, the opportunities not without precedent.

Without a doubt, we are in unique times. The fiscal challenge facing the state is without precedent. The public demands its government to recognize this, and to respond accordingly. As the state's business service provider, the DGS must rise to that challenge. I intend to establish the DGS as a leader in the business community, as an expert in the areas of services it provides. It must seek out and implement improvements in the way it does business. The DGS must become more cost-effective. Finally, as a control entity, it must continue to work closely with its partners to more effectively manage government services.

On Acquisition of Goods and Services:

As the state's business manager, I will make it a priority that the DGS becomes a true force in the purchasing arena. The state's purchasing power must be leveraged in a much more meaningful way to ensure that the taxpayers are paying the least amount of money for the highest quality of goods and services. I will work to take procurement reform to its next logical step, transforming our current practices, finding ways to improve the quality of our contracts, thereby preserving valuable state rights, and enhancing our ability to negotiate savings and truly strike the best deal for the state. Throughout the process, DGS will continue to forge meaningful partnerships with business leaders which I believe will in turn lead to a more competitive marketplace.

On Small Business Goals:

DGS can and should continue to create opportunities for small businesses to compete for government contract dollars. Small businesses make up nearly 98% of all businesses in California. It is imperative that we keep these businesses viable. The state's most recent small business participation rate was an all-time high of 30.18 percent. As you know, the Governor has established a 25 percent participation rate. I plan to pursue this goal even in these tough economic times. Last month, DGS hit a significant milestone of 13,000 small businesses certified; however, there are over 6,000,000 small businesses statewide and I intend to continue the tremendous job of outreach that has been promoted by this Administration.

On Disabled Veterans Goals:

DGS has significantly increased the number of certified disabled veteran businesses to just over 1,000. According to a recent Bureau of State Audits report, there are over 11,000 disabled veterans in California. We need to do a better job as our veterans deserve nothing less. As you can imagine, this is an issue close to my heart. I will work directly with Secretary Johannessen at Veterans Affairs to accomplish this. On a related note, the state is severely deficient in the number of beds for its aging and disabled military population. I will also lead DGS staff to expedite the construction of the three new veterans homes authorized in recent legislation. Finally, I was pleased to learn that the DGS sponsored AB 669 (Cohn) and worked closely with Senator Machado on SB 1008 to improve the disabled veterans business enterprise program and I will continue to support these efforts.

On School Construction Goals:

The DGS plays a key role in the approval of design plans and construction dollars for every K-12 school district in California. It has already risen to the challenge of disseminating an unprecedented amount of authorized bond funds to local school districts for badly needed new and modernized facilities. As a superintendent of schools for many years, I have participated at the local level in partnering with the state to modernize and construct school facilities. And now, working closely with the State Architect, I will encourage greater collaborative efforts, including consideration of joint-use opportunities for maximum utilization of school sites. Throughout this process, I will make certain that these funds are well-spent on quality school facilities that provide ideal learning environments for our children.

On Access Compliance Issues:

The DGS' State Architect and Real Estate Services Division have been a force for change in the area of access compliance, leading the design and building industry towards acceptance of the principles of universal access for all people, whether they are disabled, elderly, or children. As the Director of DGS, I will continue support of these efforts and will help lead our fellow state agencies and even our private sector partners into a new era of access compliance.

On Environmental Issues:

California is a state whose beautiful landscapes are known and admired throughout the world. The DGS plays a critical role in many areas of its operation in providing for the ongoing protection and preservation of our environment. Its Energy Management and Real Estate divisions are and will continue to be key players in state conservation measures and in designing new state facilities with less reliance on traditional energy consumption features. DGS's Fleet division provides technical support and administrative direction on important vehicle purchasing policies that will provide the state with high fuel efficiency transportation

September 4, 2003

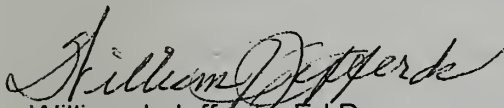
systems. The DGS will remain at the forefront of building sustainable designs that reuse rather than waste precious resources and environmentally preferable purchasing models. These progressive efforts will serve the state well in the future and will provide a valuable leadership model for our private sector counterparts to emulate. As Director, I will ensure these efforts serve as the basis for all of our activities.

On Public Safety Issues:

As the Senior Military Advisor to the Governor, matters of Public Safety have been of paramount concern and I have worked diligently in this capacity to make California a safe haven for its citizens. As the Director of DGS, this focus is no less of a concern. The vast telecommunications responsibilities we oversee, including providing enhanced 911 services and interoperable radios for state and local public safety agencies, is a primary objective for this department and I will work to ensure that we deploy the most recent and effective technology for this critical government function.

I am hopeful that you and the members of the Senate Rules Committee find these goals to be important ones for the Department of General Services. Of course, as I become more familiar with the duties of the Director, I am certain other areas of operations will prove to be equally important and worthy of dedicated attention. I commit to you that I will work diligently on those as well and look forward to a successful tenure in my new capacity.

Sincerely,



William J. Jefferds, Ed.D.

Director, Department of General Services

The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. It is shown that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the conservation of energy and the principle of the conservation of momentum. The second part of the paper is devoted to a discussion of the experimental results of the experiments of Rutherford and his colleagues, which showed that the atom is not a solid sphere, but a structure of a very different kind. The third part of the paper is devoted to a discussion of the results of the experiments of Bohr and his colleagues, which showed that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the conservation of energy and the principle of the conservation of momentum.

The fourth part of the paper is devoted to a discussion of the results of the experiments of de Broglie and his colleagues, which showed that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the conservation of energy and the principle of the conservation of momentum. The fifth part of the paper is devoted to a discussion of the results of the experiments of Schrodinger and his colleagues, which showed that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the conservation of energy and the principle of the conservation of momentum.

The sixth part of the paper is devoted to a discussion of the results of the experiments of Heisenberg and his colleagues, which showed that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the conservation of energy and the principle of the conservation of momentum. The seventh part of the paper is devoted to a discussion of the results of the experiments of Dirac and his colleagues, which showed that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the conservation of energy and the principle of the conservation of momentum.

The eighth part of the paper is devoted to a discussion of the results of the experiments of Pauli and his colleagues, which showed that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the conservation of energy and the principle of the conservation of momentum. The ninth part of the paper is devoted to a discussion of the results of the experiments of Fermi and his colleagues, which showed that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the conservation of energy and the principle of the conservation of momentum.

Statement by Ruth Coleman
Director, California State Parks

I am proud to have served for the past 18 months as Acting Director of California State Parks, proud of the confidence Governor Davis has placed in me by appointing me Director and anxious to rededicate myself to the issues and opportunities in our great State Park system.

I come to this job with many goals, both short and long-term, but foremost is continuing to manage the fiscal challenges facing this Department. In the face of dwindling revenues, we have done our best to keep our system operating at as normal levels as possible. There is a long tradition at State Parks of stretching dollars, and a strong commitment to the public we serve. I will continue that tradition.

Having said that, the Department must prepare for the future of California, and the millions more citizens who will be part of it, by seeking out opportunities to expand the State Park System and continuing to emphasize its relevancy to California's many visitors and diverse cultural groups. We are identifying areas in California with less than adequate park lands and facilities in order to meet the needs of California's future population, expected to grow by 10 million people over the next 20 years. The efforts of this Administration have been exceptional, but there remain remnants of California's landscape critical to the future of its State Park System, including natural, cultural and historic sections of the Great Central Valley.

The stewardship efforts we make today will help ensure that the residents of California's more urbanized future will have quality access to open space, opportunities to learn about their past, sanctuaries in which they may rejuvenate themselves in a healthy and safe environment and opportunities for recreational pursuits, whether that be a quiet hike through a Sierra meadow or a thrilling ride at one of our off-highway vehicle parks.

State Parks is known for its beautiful landscapes, its recreational facilities and its ocean views. But it also much more. California State Parks is committed to preserving the diversity and antiquity of human experience in California. Understanding this rich historical legacy gives our citizens a sense of place and continuity in the modern world. It is our goal to provide inspiration and leadership in acquiring and managing cultural resources that represent California's rich history and diverse population. We pursue this quest on many fronts.

We have been conducting a series of task force meetings with Indian representatives and others focused on developing a vision and plan for a new California Indian Cultural Center and Museum in California. State Parks also is acquiring a major section of the Southern Immigrant Trail in eastern San Diego County with the acquisition of the Vallecitos Ranch and its addition to Anza-Borrego Desert State Park. My Department is working with Federal and State agencies to preserve the largest of the Internment Camps in California at Tule Lake, where we hope to acquire the core site and

tell this important story. And in partnership with the National Park Service, we are considering creation of a state historic park in the Central Valley to tell the story of Cesar Chavez.

State Parks must do its best to maintain the services it provides to the millions of Californians who have come to depend on the system's natural resources for their physical, emotional and economic wellbeing. We must identify the most critical wildland habitat for increased connectivity, stewardship and attention, and give high priority to the most important areas that link these key state parks to other protected lands. We must ensure the maintenance of the natural features of our parks, as well as the public facilities and infrastructure. And we must identify the most invasive, exotic species so that they can be mitigated or removed effectively.

About 85 million people visit California State Parks each year and our Department plays a significant role in ensuring public safety for our visitors. Rangers and lifeguards provide not only law enforcement and aquatic rescue services but they also provide public education through interpretation. They also provide critical liaison with allied agencies, emergency services, and the Homeland Security. This remains a top priority of my Department, and for me as Director.

California State Parks, by serving as a leader in providing bond funding and technical assistance to local and regional park and recreation entities, California State Parks will help promote the benefits of parks to the citizenry, and will use all tools necessary to reach all Californians in this effort. Whether it be video-conferencing allowing fourth-graders in Los Angeles the chance to "visit" the gold fields of Northern California, recreational programs at local urban parks, or junior ranger programs in the High Sierra, California State Parks will continue to play a key role in the lives of all Californians and park visitors.

The people of California have shown strong support for continued acquisition of park and open space, maintenance of our existing park facilities and development of local park facilities. In the last three years they have approved two bond measures providing nearly \$5 billion for such purposes. Many of these programs fall under my department. We continue to identify land in the state that is most critical for acquisition as public park land, and work closely with local agencies on projects benefiting communities around California.

We have undertaken major projects in the state with the help of bond funds, including renovations this summer at popular campgrounds like Donner Memorial State Park, New Brighton State Beach in Santa Cruz and Morro Bay State Park. We are continuing our restoration efforts at our state historic park at Allensworth, the only California town to be founded, financed and governed by African Americans, and have undertaken the complete rehabilitation of the historic district of Crystal Cove State Historic Park.

As you know, bond funds are separate from the General Fund so are not affected by the economic slowdown. Still, some question why we continue to acquire park land when we are challenged just to maintain what we have.

These sentiments are not new. Throughout it's history, California State Parks has sometimes faced pressure to go slow in its mission to preserve and protect the natural and cultural resources of this state. Had we heeded that advice pressure during the Great Depression, we would not have acquired Point Lobos, where our State Reserve today features one of the richest underwater habitats in the world, and provides home to thousands of seabirds and other wildlife. Even during those dark economic times of the Depression, our state's leaders understood that, as Will Rogers put it, "Invest in land because they ain't making any more of it."

Toward that end, for instance, we soon hope to announce an agreement to acquire property in the Sutter Buttes and create the first state park ever in Sutter County, highlighting this unique geographical feature of the Sacramento Valley.

At California State Parks, we have a motto borrowed from the Iroquois nation. It says, "In every deliberation, we must consider the impact of our decisions on the next seven generations."

At State Parks, we dedicate ourselves and our work to these future generations.

#

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY

REPORT OF THE
COMMISSIONERS OF THE
LAND OFFICE
FOR THE YEAR
1887

CHICAGO
PUBLISHED BY THE
UNIVERSITY OF CHICAGO PRESS
1888

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
REPORT OF THE
COMMISSIONERS OF THE
LAND OFFICE
FOR THE YEAR
1887

CHICAGO
PUBLISHED BY THE
UNIVERSITY OF CHICAGO PRESS
1888

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
REPORT OF THE
COMMISSIONERS OF THE
LAND OFFICE
FOR THE YEAR
1887



**CALIFORNIA UNEMPLOYMENT
INSURANCE APPEALS BOARD**

P. O. Box 944275
Sacramento, California 94244-2750
(916) 283-8783



State of California/ Labor and Workforce Development Agency

Gray Davis
Governor

Jack D. Cox
Board Member

September 3, 2003

The Honorable John Burton, Chair
Senate Rules Committee
State Capitol
Sacramento, California 95814

Dear Senator Burton:

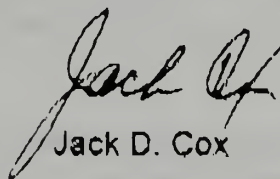
Thank you for the opportunity to share with you my goals for the California Unemployment Insurance Appeals Board (CUIAB).

During my last four years on the CUIAB, I am proud to state that the other Board members and I have been able to meet all federally mandated time requirements for unemployment compensation benefit decisions, issuing an average of 15,000 decisions each year. Timeliness is critical in these cases, as unemployment compensation provides a safety net for the subsistence of individuals who are unemployed through no fault of their own, until they can secure new employment.

The most important goal during my next term is to continue the issuance of timely and accurate decisions. In addition, I want the CUIAB to maintain, and to expand where conditions warrant, its many points of service for the benefit of the parties who appear before its Administrative Law Judges. Finally, accessibility for people with limited English proficiency needs to be consistently enhanced, so that all parties are accorded the highest level of due process in the legal proceedings of the CUIAB.

I look forward to the confirmation proceeding on September 8. Please do not hesitate to contact me should you require any additional information prior to that proceeding.

Sincerely,


Jack D. Cox



THE UNIVERSITY OF CHICAGO



OFFICE OF THE DEAN OF STUDENTS
540 EAST 58TH STREET, CHICAGO, ILL. 60637

MEMORANDUM

TO: THE DEAN OF STUDENTS
FROM: [Name]
SUBJECT: [Subject]

[Main body of the memorandum text, consisting of several paragraphs.]

[Continuation of the main body text, including a section that appears to be a list or detailed points.]

[Signature block area, including a line for a signature and a line for a name.]

ANTHONY S. MOLICA
DIRECTOR
CALIFORNIA LOTTERY
STATE OF CALIFORNIA

I look forward to applying my strong lottery experience which spans over 17 years under the Deukmejian, Wilson and Davis administrations to the California Lottery. My experience as a business owner in California for 14 years provided an important retail and management background. Also, 10 years as a teacher, coach, and athletic director in California schools solidified my interest in, and dedication to, supporting crucial public education programs.

My experience as Executive Director of the Washington Lottery for the past 14 months has been essential in preparing me for the expanded responsibilities I assume in overseeing the business of one of the largest lotteries in the world. The following are my short and long term goals that will help guide the Lottery in implementing its mission of providing supplemental funding to public education.

Short Term Goals

My short term goals for the Lottery are to:

- implement the new gaming system with its state-of-the-art technology, allowing the Lottery to operate more efficiently;
- strengthen our partnerships with policy makers, so that they can assist the Lottery in achieving its goals;
- enhance our Problem Gambling Awareness Program to provide assistance to individuals with gambling problems and their families; and
- ensure that we honor the public's trust by ensuring integrity, responsible leadership, and ethical business practices with our players, employees and various business partners.

Long Term Goals

My long term goals for the Lottery are to increase profits, lower costs, strengthen our technology infrastructure, and develop creative information and product distribution systems that translate to higher Lottery sales and increased contributions to public education.

I look forward to leading the California Lottery in successfully implementing these short and long term goals while maintaining our commitment of contributing supplemental funds to public education.

CalHFA SM California Housing Finance Agency

September 3, 2003

Clark Wallace
Chairman

Nettie Sabelhaus
Appointments Director
Senate Rules Committee
State Capitol, Room 420
Sacramento CA 95814

Theresa A. Parker
Executive Director

Dear Nettie,

By way of this letter, I am transmitting the information requested by the Senate Rules Committee in consideration of my confirmation hearing for appointment as Executive Director of the California Housing Finance Agency (CalHFA). In response to the Committee's request for a list of my goals and objectives, in the short and long term, the following is provided:

- Continue to expedite the allocation of resources under the Prop 46 housing bond for the preservation of multifamily rental housing, mortgage insurance programs and downpayment assistance for first-time homebuyers in California.
- Implement the 2003-04 to 2007-08 CalHFA Business Plan, which includes Agency-wide production goals of \$12.5 billion over the five-year period. Specific goals include housing production of \$2.2 billion for multifamily, \$6.8 billion for homeownership and \$3.5 billion for mortgage insurance.
- Continue to work on a housing program partnership with the University of California to develop affordable student housing at various campuses throughout the state.
- Develop financing criteria and public policy objectives for the sale of CalHFA's six Real Estate Owned (REO) properties.
- Work with affordable housing stakeholders to achieve legislation at the federal level which would allow CalHFA to recycle approximately \$500 million annually of mortgage loan authority which under current federal law is required to be immediately used for repayments of original outstanding bonds.
- Continue to improve and streamline the application and approval process for our customer base with our statewide network of over 50 lenders and their 500 loan offices statewide.

SEP 03 2003

Sacramento Headquarters
1121 L Street, Seventh Floor
Sacramento, CA 95814-3974
(916) 322-3991

Los Angeles Office
100 Corporate Pointe, Ste. 250
Culver City, CA 90230-7641
(310) 342-1250

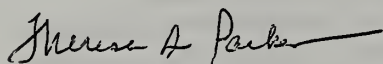
www.calhfa.ca.gov

Nettie Sabelhaus
September 3, 2003
Page Two

In addition to my goals and objectives as stated above, I've also included a copy of my Statement of Economic Interests Form 700, a recent resume and my Authorization for Release of Information.

I look forward to presenting my qualifications before the Committee on Monday, September 8th. Please let me know if you need any further information or if you have any questions. I can be reached at 916.324.4638.

Sincerely,

A handwritten signature in cursive script that reads "Theresa A. Parker". The signature is written in dark ink and includes a long, horizontal flourish extending to the right.

Theresa A. Parker
Executive Director

CHUCK SUPPLE'S STATEMENT OF GOALS FOR YOUTHFUL OFFENDER PAROLE BOARD

As a member of California's Youthful Offender Parole Board, I will bring over twenty years professional experience in the field of youth service, working at the local, state and national levels. While I am new to the specific field of incarcerated youth, my extensive management and programmatic background in related areas of youth development and education will add value to my role and contribution to the Board.

My experience has given me a strong belief in the inherent worth of all young people and their potential for playing meaningful roles and making important contributions to society. We have the responsibility to protect the public from young people who have committed offenses such as those who are wards of the California Youth Authority, while at the same time we have the opportunity to build upon their assets as individuals with the potential to be resources to our communities.

In the near term I will seek to:

- learn as much as possible about the work of the Youthful Offender Parole Board and the California Youth Authority;
- work hard to fulfill my responsibilities as a Board member; and
- develop strong and productive working relationships among my colleagues, associates, and those with shared interests.

In the long term and on an ongoing basis I will:

- be mindful of the California Youth Authority's mission of rehabilitation and public safety;
- give fair and objective consideration of each ward;
- continually learn about the latest developments in the field; and
- seek ways that my experience and relationships can assist with enhancement and innovation of programs.

It is with humility that I consider and approach the serious responsibilities and significant challenges facing the work of the Board and the California Youth Authority. However, I will be eager to learn and be mindful of opportunities to make a difference during my tenure.

3522509
C 128

483-R

Additional copies of this publication may be purchased for \$3.50 per copy
(includes shipping and handling) **plus current California sales tax.**

Senate Publications
1020 N Street, Room B-53
Sacramento, CA 95814
(916) 327-2155

Make checks payable to SENATE RULES COMMITTEE.
Please include Stock Number 483-R when ordering.

HEARING
SENATE RULES COMMITTEE

STATE OF CALIFORNIA

DOCUMENTS DEPT.

OCT 03 2003

SAN FRANCISCO
PUBLIC LIBRARY



STATE CAPITOL
ROOM 3191
SACRAMENTO, CALIFORNIA

THURSDAY, SEPTEMBER 11, 2003
9:32 A.M.

1 SENATE RULES COMMITTEE

2 STATE OF CALIFORNIA

3
4
5
6 HEARING

7
8
9
10 STATE CAPITOL

11 ROOM 3191

12 SACRAMENTO, CALIFORNIA

13
14
15
16 THURSDAY, SEPTEMBER 11, 2003

17 9:32 A.M.

18
19
20
21
22
23
24
25 Reported by:

26
27 Evelyn J. Mizak
28 Shorthand Reporter

APPEARANCESMEMBERS PRESENT

SENATOR JOHN BURTON, Chair

SENATOR ROSS JOHNSON, Vice Chair

SENATOR BETTY KARNETTE

SENATOR WILLIAM KNIGHT

SENATOR GLORIA ROMERO

STAFF PRESENT

GREG SCHMIDT, Executive Officer

PAT WEBB, Committee Secretary

NETTIE SABELHAUS, Consultant on Governor's Appointments

SUSIE SWATT, Consultant to SENATOR JOHNSON

TIM SHELLEY, Consultant to SENATOR KARNETTE

CHRIS BURNS, Consultant to SENATOR KNIGHT

CARY RUDMAN, Consultant to SENATOR ROMERO

ALSO PRESENT

DOLORES C. HUERTA, Member
The Regents of the University of California

TOM RANKIN
California Labor Federation, AFL-CIO

MARK SCHACHT
CRLA Foundation

FRANCISCO ESTRADA
MALDEF

SAL ALVAREZ, Deacon
California LULAC

HERMAN GALLEGOS, Trustee Emeritus
National Council of La Raza

1 BILL O'DONNELL, Reverend
2 St. Joseph the Worker Church, Berkeley

3 JIM GONZALEZ
4 United Domestic Workers AFSCME

5 WILLIAM POWERS
6 Congress of California Seniors

7 JAMES GARRISON, President
8 Pacific Federal Insurance Corporation

9 CARL BRAKENSIEK
10 California Society of Industrial Medicine and Surgery

11 PATRICIA DIAZ
12 National Council of La Raza

13 ROY M. PEREZ
14 California Hispanic Chamber of Commerce

15 NORMAN J. PATTIZ, Member
16 The Regents of the University of California

17
18
19
20
21
22
23
24
25
26
27
28

THE JOURNAL OF THE

AMERICAN MEDICAL ASSOCIATION

PUBLISHED WEEKLY

VOLUME 100

NUMBER 1

JANUARY 1914

CHICAGO, ILL.

1914

INDEXPage

1	Proceedings	1
2	<u>Governor's Appointees:</u>	
3		
4	DOLORES C. HUERTA, Member	
5	The Regents of the University of California	1
6		
7	Introduction and Support by	
8	SENATOR GLORIA ROMERO	1
9	Background and Experience	2
10	Statements by SENATOR JOHNSON re:	
11	Intention to Abstain	3
12	Questions by SENATOR JOHNSON re:	
13	Date of Initial Contact regarding	
14	Appointment to Regents	3
15	Statements by CHAIRMAN BURTON re:	
16	Republicans Abstention on Term	
17	Appointees	4
18	Statements by SENATOR KARNETTE re:	
19	Delight in Appointment	5
20	<u>Witnesses in Support:</u>	
21	TOM RANKIN	
22	California Labor Federation, AFL-CIO	6
23	MARK SCHACHT	
24	CRLA Foundation	7
25	FRANCISCO ESTRADA	
26	Mexican American Legal Defense and Education Fund	7
27	SAL ALVAREZ	
28	California LULAC	7

1	HERMAN GALLEGOS, Trustee Emeritus	
2	National Council of La Raza	7
3	REV. BILL O'DONNELL	
4	St. Joseph The Worker Church, Berkeley	7
5	JIM GONZALEZ	
6	United Domestic Workers	8
7	BILL POWERS	
8	Congress of California Seniors	8
9	JIM GARRISON, President	
10	Pacific Federal Insurance Corporation	8
11	CARL BRAKENSIEK	
12	California Society of Industrial Medicine	
13	and Surgery ..	8
14	PATRICIA DIAZ	
15	Council of La Raza	9
16	ROY PEREZ	
17	California Hispanic Chamber of Commerce	9
18	Motion to Confirm	9
19	Committee Action	9
20	NORMAN J. PATTIZ, Member	
21	The Regents of the University of California	9
22	Background and Experience	10
23	Statements by SENATOR JOHNSON re:	
24	Support for Prior Confirmation	12
25	Musical Chairs Element of This	
26	Appointment	12
27	Questions by SENATOR ROMERO re:	
28	Dealing with Transfer Students in	
	Future	13
	Motion to Confirm	16

THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF

THE UNIVERSITY OF OXFORD

IN TWO VOLUMES

THE SECOND

AND LAST

OF THE HISTORY

OF THE REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF

THE UNIVERSITY OF OXFORD

IN TWO VOLUMES

THE SECOND

AND LAST

OF THE HISTORY

OF THE REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF

THE UNIVERSITY OF OXFORD

IN TWO VOLUMES

THE SECOND

AND LAST

OF THE HISTORY

OF THE REIGN OF

CHARLES THE FIRST

1	Committee Action	16
2	Termination of Proceedings	16
3	Certificate of Reporter	17
4	ATTACHMENTS: Statements of Goals	
5	DOLORES HUERTA	18
6	NORMAN PATTIZ	20

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

P-R-O-C-E-E-D-I-N-G-S

--ooOoo--

CHAIRMAN BURTON: Governor's appointees required to appear today, Regent of the University, Dolores Huerta.

Dolores, welcome.

MS. HUERTA: Thank you.

CHAIRMAN BURTON: Senator Romero.

SENATOR ROMERO: Good morning.

It's my extreme honor to be able to introduce a woman who really needs no introduction. She's a friend and ally, a mujer, Dolores Huerta.

I must tell you that as a college student, as a high school student, this woman inspired me. She had a very simple message of, "Si, se puede," that she has never forgotten, that I have never forgotten. And when I saw her not too long ago in South Central Los Angeles, when an elementary school was being named after her, the Dolores Huerta Elementary School, I saw the faces of school children -- black, latino, white -- from very low incomes, and they were receiving the same message of, "Si, se puede," that I had received from Dolores.

She is somebody who has dedicated her life of moving children out of the fields and into and onto the college campuses.

I think she will be a remarkable Regent. Governor Gray Davis referred to her last year as his conscience. I believe that she will become the conscience of the University of California and truly a Regent for all students.

So, it's my honor to introduce her today, and to

ask you to confirm her nomination as a UC Regent.

Thank you.

MS. HUERTA: Thank you very much, Senator Romero.

I feel truly honored to receive this nomination.

I hope what I would bring to the Board of Regents would be my experience in working with working people, with communities, not only migrant communities, all of the working poor, of course also with women's organizations, and of course many students.

I lecture often at many campuses all over California and all over the United States. And of course one of the things that I would hope is that we can, of course, increase the diversity of our campuses, not only on the student level, but on the faculty, the administration level; that we can bring this message of social justice which is one, of course, that myself and Cesar Chavez worked for our entire lives; and also to continue the excellent work that the University is doing, because we know that the University of California is a model not only for the Cal system, and for all of the California schools, but also for the United States -- the State of California and the United States of America as one of the most prestigious universities that there is, not only in terms of the teaching, but also in terms of the research.

We know that California is the fifth largest economy in the world, and that the research facilities of the University of the California are extremely important in terms of determining what the future of our state and what our country will be.

So, I am very grateful for the nomination, and I

1 would hopefully ask for the confirmation.

2 Thank you.

3 CHAIRMAN BURTON: Senator Johnson.

4 SENATOR JOHNSON: Yes.

5 I know this must be a very proud day for you.

6 MS. HUERTA: It is.

7 SENATOR JOHNSON: And for your many friends and
8 admirers.

9 And I don't mean to detract from that, but I feel
10 constrained to tell you, it has nothing whatever to do with your
11 nomination, but the extraordinary circumstances surrounding the
12 fact that we have this recall election going on, and we may have
13 a new governor in four weeks' time.

14 I've always been of the belief that any governor
15 should have the right to put in place the folks that he or she
16 chooses.

17 So, I intend to abstain.

18 And I felt constrained to tell you why, and to
19 emphasize it has nothing whatever to do with you or your
20 qualifications.

21 I have, though, Mr. Chairman, just one question,
22 if I could.

23 When did the Governor or the Governor's Office
24 contact you about this appointment? Or, when did you first make
25 the Governor or his office aware of your interest in serving on
26 the Board of Regents?

27 MS. HUERTA: I received the call -- things have
28 happened so fast -- it was Tuesday afternoon that I received the

1 call from the Governor's Office.

2 SENATOR JOHNSON: And before that, had --

3 SENATOR KNIGHT: This week?

4 MS. HUERTA: Yes, sir, this week.

5 SENATOR JOHNSON: And prior to that, had there
6 been any conversations, or had you indicated an interest in
7 serving?

8 MS. HUERTA: Well, it's one of those things that
9 you kind of dream of, but it's like that unattainable star, you
10 know. Every time I would see a new appointee to the Regents,
11 and of course, having been at Regents meetings in the past, and,
12 you know, it was just one of those things. Kind of like winning
13 the Lotto, do you know what I mean?

14 SENATOR JOHNSON: I do indeed.

15 MS. HUERTA: It's so far out there, like you wish
16 upon a star kind of a thing.

17 And of course, I think that all of us know what a
18 prestigious position this is, and every one of us would say,
19 "Oh, wow, wouldn't that be great if I could be," but you know,
20 again, you would think it's so unattainable.

21 SENATOR JOHNSON: But no specific conversation.

22 MS. HUERTA: No, sir.

23 SENATOR JOHNSON: Thank you very much.

24 MS. HUERTA: In fact, I haven't had a chance to
25 thank the Governor yet.

26 SENATOR JOHNSON: Thank you, Mr. Chairman.

27 CHAIRMAN BURTON: I want to say, and I should
28 have said it earlier, that it's been Senator Johnson's and the

THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION

Published by the American Medical Association
535 North Dearborn Street, Chicago, Ill.

Subscription price, \$5.00 per annum in advance.
Single copies, 15 cents.

Entered as second-class matter, May 2, 1912, under post office
no. 384, at Chicago, Ill., under special agreement of post office
department.

Acceptance for mailing at special rate of postage provided for in
post office no. 384, at Chicago, Ill., authorized on July 1, 1918.

Postpaid

Copyright, 1919, by American Medical Association

Published by the American Medical Association, 535 North Dearborn Street, Chicago, Ill.

Subscription price, \$5.00 per annum in advance. Single copies, 15 cents.

Entered as second-class matter, May 2, 1912, under post office no. 384, at Chicago, Ill., under special agreement of post office department.

Acceptance for mailing at special rate of postage provided for in post office no. 384, at Chicago, Ill., authorized on July 1, 1918.

Postpaid

Copyright, 1919, by American Medical Association

Published by the American Medical Association, 535 North Dearborn Street, Chicago, Ill.

Subscription price, \$5.00 per annum in advance. Single copies, 15 cents.

Entered as second-class matter, May 2, 1912, under post office no. 384, at Chicago, Ill., under special agreement of post office department.

Acceptance for mailing at special rate of postage provided for in post office no. 384, at Chicago, Ill., authorized on July 1, 1918.

Postpaid

Copyright, 1919, by American Medical Association

Published by the American Medical Association, 535 North Dearborn Street, Chicago, Ill.

Subscription price, \$5.00 per annum in advance. Single copies, 15 cents.

Entered as second-class matter, May 2, 1912, under post office no. 384, at Chicago, Ill., under special agreement of post office department.

Acceptance for mailing at special rate of postage provided for in post office no. 384, at Chicago, Ill., authorized on July 1, 1918.

Postpaid

Copyright, 1919, by American Medical Association

Published by the American Medical Association, 535 North Dearborn Street, Chicago, Ill.

Subscription price, \$5.00 per annum in advance. Single copies, 15 cents.

Entered as second-class matter, May 2, 1912, under post office no. 384, at Chicago, Ill., under special agreement of post office department.

Acceptance for mailing at special rate of postage provided for in post office no. 384, at Chicago, Ill., authorized on July 1, 1918.

Postpaid

1 Republicans' position on all term appointments to abstain from
2 confirmation until the issues can be reviewed after the recall
3 election, either up, down, or sideways. So, it does have
4 nothing with you, or the next nominee, or anyone.

5 It's a position where, were things reversed, it's
6 a position that I believe that the Democrats would take if a
7 Republican was going through this.

8 So, it's got nothing to do with you, Dolores and
9 Mr. Pattiz.

10 I'd like to welcome Martha Escutia.

11 I would imagine you've made your comments.

12 Senator Knight.

13 SENATOR KNIGHT: No questions.

14 CHAIRMAN BURTON: Senator Karnette.

15 SENATOR KARNETTE: I'd like to say, I'm really
16 glad to see you here. I feel like at last there's somebody
17 there with whom I can relate on the Board of Regents. It's not
18 that I couldn't talk to the others, but you're somebody I've
19 known so long, and I'll be calling you just to talk, because I
20 feel like you'll tell me what it's really like, and I think you
21 represent how I feel.

22 If I were applying, I would want you as a Regent.
23 And I'm really glad you've been appointed.

24 MS. HUERTA: Thank you, Senator.

25 CHAIRMAN BURTON: Did you bring your myriad of
26 family here at all?

27 MS. HUERTA: Yes, I did. I have family and
28 friends.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in financial matters. The text outlines various methods for organizing and storing data, suggesting that digital tools can be highly effective for this purpose.

2. The second section focuses on the role of communication in project management. It argues that clear and consistent communication is the key to ensuring that all team members are aligned with the project's goals and objectives. The author provides several practical tips for improving communication, such as holding regular meetings and using collaborative platforms.

3. The third part of the document addresses the challenges of time management. It acknowledges that time is a limited resource and that effective time management is crucial for meeting deadlines and achieving success. The text offers strategies for prioritizing tasks and avoiding procrastination, highlighting the importance of creating a realistic schedule.

4. The final section discusses the importance of continuous learning and professional development. It encourages individuals to stay up-to-date with the latest trends and technologies in their field, as this is essential for long-term career growth and success. The author suggests various ways to pursue learning, including attending workshops, taking courses, and seeking mentorship.

1 CHAIRMAN BURTON: Start with the family first.
2 Did you bring your grandchildren?

3 MS. HUERTA: Yes I have my grandson here who is a
4 student at University of California, Berkeley, Danny Ibarra,
5 Junior, who's in his third year.

6 I want to also point out that my oldest son is a
7 graduate of UCLA Medical School, Dr. Fidel Huerta, who's a
8 family practice doctor practicing at Kern County, at the Kern
9 County Hospital and at farmworker clinics.

10 My daughter, Lori, is here. I saw my daughter
11 Camila taking a picture.

12 Excuse me, Richard Chavez.

13 Also we have Congressman, ex-Congressman Jerry
14 Waldie is here with us this morning, who was formerly on the
15 Agricultural Labor Relations Board and was in the U.S. Congress,
16 and was the man who got us disability insurance for farmworkers
17 back in 1961.

18 CHAIRMAN BURTON: Welcome, sir. We're honored.

19 MS. HUERTA: And of course Tom Rankin is here.

20 CHAIRMAN BURTON: No, they're going to come up.
21 Just family.

22 MS. HUERTA: That's my labor family.

23 My daughter, Camila Chavez, is the youngest of my
24 eleven children and a graduate of college.

25 CHAIRMAN BURTON: Witnesses in support, and
26 because of the timing that we have, your name, rank, and serial
27 number will suffice.

28 MR. RANKIN: Tom Rankin, California Labor

1 Federation, supporting my friend, Dolores Huerta.

2 We're happy to have a labor Regent after a period
3 of having none. She follows in the footsteps of Einar Mohn from
4 the Teamsters, Jack Henning from Labor Federation, and adds an
5 element of diversity.

6 CHAIRMAN BURTON: And Neil Haggerty.

7 MR. SCHACHT: Mr. Chairman and Members, Mark
8 Schacht, CRLA Foundation.

9 We're pleased to support Dolores' nomination.

10 I'd just make one comment. Mr. Connerly, guess
11 who's coming to the next Regents meeting.

12 MR. ESTRADA: Francisco Estrada with the Mexican
13 American Legal Defense and Educational Fund in support of the
14 nomination.

15 MR. ALVAREZ: Sal Alvarez, representing
16 California LULAC, the League of Latin American Citizens.

17 MR. GALLEGOS: Herman Gallegos. I'm an old
18 friend of Dolores Huerta's for almost 50 years, a graduate of
19 the University of California, an opportunity that was given me
20 because of a few folks who believed that persons from ethnic
21 minorities should be given a chance at higher education. That
22 opportunity transformed my life, and I just hope that we can do
23 that for other kids that need a break.

24 I think Dolores is the right person to help trade
25 equity and justice at the UC system, which it badly needs.

26 Thank you.

27 REV. O'DONNELL: Father Bill O'Donnell from St.
28 Joseph The Worker Church in Berkeley.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in financial matters. The text outlines various methods for organizing and storing data, including digital databases and physical filing systems. It also mentions the need for regular audits and reviews to ensure the integrity and accuracy of the information.

2. The second part of the document focuses on the role of technology in modern record management. It highlights how digital tools can significantly improve efficiency and reduce the risk of data loss or corruption. Examples of such technologies include cloud storage solutions, secure email protocols, and specialized software for document management. The text also addresses the challenges associated with digital records, such as ensuring long-term accessibility and protecting against cyber threats.

3. The third part of the document discusses the legal and regulatory requirements for record-keeping. It notes that different jurisdictions have specific laws governing the retention and disposal of records. Organizations must be aware of these requirements to avoid legal penalties and ensure compliance. The text provides a general overview of common regulations and offers advice on how to develop a robust record management policy that aligns with applicable laws.

4. The fourth part of the document explores the importance of training and education in effective record management. It states that all personnel involved in the process must be properly trained to understand the procedures and the significance of their role. Regular training sessions and workshops can help reinforce best practices and ensure that the organization's record management system remains up-to-date and effective. The text also suggests ways to foster a culture of responsibility and attention to detail among staff members.

5. The fifth part of the document discusses the importance of disaster recovery and business continuity planning in the context of record management. It emphasizes that records are often critical to an organization's operations, and their loss could have severe consequences. Therefore, it is essential to have a clear plan in place for how to recover from a disaster, such as a fire, flood, or cyber attack. The text outlines key components of a disaster recovery plan, including data backup strategies, off-site storage, and communication protocols.

6. The sixth part of the document discusses the importance of regular communication and reporting in record management. It notes that stakeholders, including management and external auditors, need to be kept informed about the status of the record management system. Regular reports and updates can help identify potential issues early on and allow for timely corrective actions. The text also suggests ways to improve communication, such as holding regular meetings and using clear, concise language in all reports and communications.

7. The seventh part of the document discusses the importance of maintaining a clear and organized structure for the record management system. It emphasizes that a well-defined hierarchy and naming convention are crucial for easy navigation and retrieval of information. The text provides examples of effective organizational structures and offers advice on how to design a system that meets the specific needs of the organization. It also mentions the importance of documenting the system's structure and procedures for future reference.

8. The eighth part of the document discusses the importance of regular updates and improvements to the record management system. It notes that as an organization grows and its needs change, the record management system must evolve accordingly. Regular reviews and updates can help ensure that the system remains relevant and effective. The text suggests ways to identify areas for improvement, such as soliciting feedback from users and conducting periodic system audits.

9. The ninth part of the document discusses the importance of maintaining a secure and protected environment for the record management system. It emphasizes that records often contain sensitive information, and their unauthorized disclosure could have serious consequences. Therefore, it is essential to implement strong security measures, such as access controls, encryption, and firewalls, to protect the data. The text also discusses the importance of regular security assessments and updates to protect against emerging threats.

10. The tenth part of the document discusses the importance of maintaining a clear and concise policy for the record management system. It emphasizes that a well-written policy can serve as a guide for all personnel and help ensure consistent application of the system's principles. The text provides a template for a record management policy and offers advice on how to tailor it to the specific needs of the organization. It also suggests ways to ensure that the policy is effectively communicated and understood by all staff members.

1 I've known Dolores since 1965. I have been with
2 her in the fields, in churches, and on the streets, at rallies.
3 And she brings to the University of California if she's
4 appointed a whole new philosophy of education, which is
5 nonviolence. That is the solution, I think, to all our social
6 problems.

7 CHAIRMAN BURTON: Thank you, Father.

8 MR. GONZALEZ: Jim Gonzalez, representing United
9 Domestic Workers in support.

10 Thanks to Senator Romero, Senator Burton,
11 Governor Davis.

12 And the best title I've had in my life has been
13 friend of Dolores Huerta. I think that's something important to
14 the students and the families of the UC system.

15 Thank you.

16 MR. POWERS: Bill Powers, Congress of California
17 Seniors.

18 What a wonderful nomination. We urge support.

19 MR. GARRISON: Jim Garrison, President of Pacific
20 Federal Insurance Corporation.

21 My wife was not able to be here today, but she
22 was born in Delano of farmworkers. And myself and my wife are
23 very happy to see Dolores get this appointment.

24 MR. BRAKENSIEK: Carl Brakensiek, California
25 Society of Industrial Medicine and Surgery.

26 Delores has a life time of fighting for quality
27 health care for injured workers, and we are very pleased with
28 this nomination.

1 MS. DIAZ: Patricia Diaz with the National
2 Council of La Raza in support.

3 MR. PEREZ: Roy Perez. The California Hispanic
4 Chamber of Commerce endorses Dolores Huerta for the
5 confirmation.

6 CHAIRMAN BURTON: Witnesses in opposition?
7 Hearing none, move the nomination.

8 SECRETARY WEBB: Senator Karnette.

9 SENATOR KARNETTE: Aye.

10 SECRETARY WEBB: Karnette Aye. Senator Knight.
11 Senator Romero.

12 SENATOR ROMERO: Aye.

13 SECRETARY WEBB: Romero Aye. Senator Johnson.
14 Senator Burton.

15 CHAIRMAN BURTON: Aye.

16 SECRETARY WEBB: Burton Aye. Three to zero.

17 CHAIRMAN BURTON: Congratulations, Dolores.

18 MS. HUERTA: Thank you very much. Thank you.

19 CHAIRMAN BURTON: I would like to say good-bye
20 to Senator Escutia.

21 Norm Pattiz.

22 Again, to save Senator Johnson the reiteration,
23 you understand the position of the Republicans and the whole
24 concept of term appointees during this period. It's not
25 personal, so you may proceed, sir.

26 MR. PATTIZ: Thank you.

27 First of all, I'd like to invite Senator Karnette
28 out to lunch at any time, and I want to make sure that you have

1 my home number so we can talk whenever you're in Los Angeles.

2 [Laughter.]

3 MR. PATTIZ: I want to be your host where ever
4 you'd like to go.

5 It's certainly nice -- it's nice to be here
6 again. I was here two years ago in front of this group and had
7 the privilege of being confirmed to a two-and-a-half year term
8 of an existing Regent's term.

9 I'd like to, of course, thank Governor Davis for
10 having the confidence in me to reappointment me for another
11 term.

12 I just want to say briefly, because you have my
13 statement, I think, in front of you, and with a few changes, I
14 think it probably looks a lot like the statement I made two
15 years ago.

16 I was born in California. I built my business in
17 California. I am a committed Californian. The things that have
18 always been of interest to me are the things that I support and
19 fight passionately for. Education has always been a primary
20 interest and a primary subject for me to try and make a
21 difference.

22 The idea of diversity and excellence at the
23 University of California is something that resonates with me
24 deeply. Before I was ever a Regent of the University of
25 California, it resonated me -- resonated with me on a local
26 level in the area of K through 12.

27 As an example, when the L.A. Unified School
28 District determined 15 years ago that they wanted to create an

1 academy of music in L.A. Unified School District, they
2 approached me, and I was privileged to be able to provide
3 financial support to create the Hamilton High School Academy of
4 Music. One of the main reasons that I supported that project
5 was because of the fact that it was a magnet school for music
6 and the performing arts, which meant that it was required by law
7 for the student body of that magnet school to mirror the ethnic
8 diversity within the community. So, that shows my commitment to
9 diversity.

10 In terms of excellence, I'm also happy to say
11 that in the 15 years since the creation of that school, the
12 National Academy of Recording Arts and Sciences has ranked it as
13 the number one high school music and performing arts academy in
14 the western United States.

15 So, to be able to take my interest in education
16 from K through 12 and in higher education, which was indicated
17 by the fact that I was the President of the Broadcast Education
18 Association, which is an organization of 2,000 colleges and
19 universities with programs in mass communications, and was the
20 first and only president of the organization who was not an
21 academic, I think that shows my commitment to higher education.

22 In the last two years as a Regent, it's been my
23 privilege to serve the University of California and the State of
24 California in that capacity. There are many serious problems
25 that need to be addressed going forward.

26 For me, it's taken about two years to find out
27 which committees were the important committees to be on, where I
28 could make the best commitment, the best contribution, and where

1 I could, you know, provide the best -- the most important
2 service to the University as well.

3 It's been a wonderful experience for me. I've
4 been privileged to serve as a Regent, and I'm honored to have
5 been reappointed by the Governor. And it's, as I say, a
6 pleasure to see you all again.

7 CHAIRMAN BURTON: Senator Johnson.

8 SENATOR JOHNSON: Thank you, Mr. Chairman.

9 I have no questions, but just a few comments.

10 I supported you when you were last before this
11 Committee and before the Senate for confirmation. I have no
12 question about your qualifications for the position.

13 But I am disturbed by the sequence of events that
14 lead to our considering you today.

15 It should be underscored that this is a
16 twelve-year appointment coming in what may be the closing days
17 of the Davis administration. And you were a serving member of
18 the Board of Regents and resigned last week, with six months
19 remaining on a term, and reappointed to a full twelve-year
20 term.

21 I'm disturbed by the musical chairs element of
22 that.

23 And there have been -- and certainly Senator
24 Romero is one who has very consistently urged the Governor to
25 consider more appointments of minorities and more women.

26 This position has been open for a
27 year-and-a-half, and then suddenly, in a very hurried process,
28 we're being asked to validate this musical chairs process.

1 I think one has to ask the question of, why
2 didn't the Governor consider appointing Ms. Huerta to the
3 twelve-year term?

4 I have no questions, and I'll leave it at that,
5 Mr. Chairman.

6 CHAIRMAN BURTON: Senator Romero.

7 SENATOR ROMERO: Thank you.

8 I've been long concerned about the issue of
9 transfer to the University of California. Of course, this is, I
10 think, the first time that the UC has turned away eligible
11 transfer students. I know it's a very tough time for the
12 University.

13 Can you give me what your thoughts would be in
14 terms of looking at how we deal transfers to the University in
15 the future, and especially what your thoughts are on the issue
16 of dual enrollment? It's an issue that I have advocated for. I
17 think it's something that can work, having greater participation
18 between community colleges and the UC system.

19 But if you can help me better understand, given
20 the crisis that we have right now in terms of funding and
21 location, space, how would you propose to deal with the issue of
22 transfer?

23 MR. PATTIZ: First of all, I think that's an
24 excellent question, Senator.

25 And I have to say that your comment about the
26 closer interaction between the community college system, the
27 State University system, and the University of California is
28 absolutely essential, especially considering the fiscal crisis

1 that we face.

2 The problem of not being able to admit a number
3 of transfers from the community college system into the
4 University of California or into the State university system,
5 for that matter, is one of a number of problems. When you have
6 nearly \$500 million dollars cut from your budget, it makes the
7 kinds of things that we've been able to do over the last several
8 years very, very difficult to do going forward.

9 But I have to tell you that I since I've been a
10 Regent, and it's only been for two years, because as I say, it
11 was the unexpired portion of a term that was available, the
12 focus has always been to make the University of California
13 available to every qualified student, and to have a significant
14 outreach campaign, which will be severely affected by the budget
15 cuts that we face now.

16 You know, on the positive side, I can say that
17 with the increases that we have seen, the very, very unfortunate
18 increases in tuition that we've had to put in place because of
19 the -- because of the financial crisis, increases that are the
20 first increases that have taken place in nine years, I might
21 add, one of the things that is very, very upper-most in the
22 minds of certainly myself and I think the majority of the Board
23 of Regents is how to make sure that people are not left behind
24 in this process. Fully one-third of the increases in tuition
25 all go to financial aid to allowing other -- students who don't
26 have -- who would otherwise be unable to attend the University.

27 You're talking about a situation where, from
28 families that have an income of less than \$60,000 a year, the

1 entire difference in the increase will be made up. So, it will
2 -- we've been able to minimalize that effect.

3 With families that have income between \$60,000
4 and \$90,000 a year, depending upon their circumstances, up to
5 one-half of the increase can be made up.

6 In the case of the transfers from the -- the
7 question that you asked specifically, the transfer of students
8 from the community college system into the -- into the
9 University, I support your notion of how that should be
10 accomplished and will make that case very, very vocally when I'm
11 given the opportunity.

12 CHAIRMAN BURTON: Senator Knight.

13 SENATOR KNIGHT: No questions.

14 CHAIRMAN BURTON: Senator Karnette.

15 SENATOR KARNETTE: No questions.

16 CHAIRMAN BURTON: You do have family here?

17 MR. PATTIZ: I have my wife with me, who travels
18 with me everywhere we go. I'm a very fortunate man. We just
19 came from Washington, D.C., where I would like to point out, I
20 serve on the United States Broadcasting Board of Governors,
21 which oversees all international broadcasting, the Voice of
22 America, Radio Free Europe, and so forth, where I'm the Chairman
23 of the Middle East Committee.

24 And I want to make that point because when I
25 travel to the Middle East quite often, meeting with heads of
26 state and ministers of information, and so forth, my wife
27 accompanies me on every single trip to every single location. I
28 consider her my secret weapon.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for ensuring transparency and accountability in the organization's operations.

2. The second part outlines the various methods and tools used to collect and analyze data. It mentions the use of surveys, interviews, and focus groups to gather information from stakeholders. Additionally, it discusses the application of statistical analysis to interpret the collected data.

3. The third part describes the process of identifying key performance indicators (KPIs) and how they are used to measure the organization's progress towards its goals. It highlights the need for regular monitoring and reporting on these indicators.

4. The fourth part focuses on the importance of communication and collaboration between different departments and teams. It stresses that effective communication is crucial for ensuring that everyone is working towards the same objectives and that any issues are identified and resolved promptly.

5. The fifth part discusses the role of leadership in driving the organization's success. It mentions that leaders should provide clear vision and direction, while also empowering their teams to take ownership of their work and make decisions.

6. The sixth part addresses the challenges faced by the organization and how they are being addressed. It mentions the need for innovation and creativity to overcome obstacles and achieve long-term success.

7. The seventh part discusses the importance of continuous improvement and how the organization is committed to regularly reviewing its processes and making necessary adjustments.

8. The eighth part describes the various initiatives and projects currently underway within the organization. It mentions the launch of a new product line and the implementation of a new management system.

9. The ninth part discusses the organization's future plans and goals. It mentions the intention to expand into new markets and to continue investing in research and development to stay at the forefront of the industry.

10. The tenth part concludes the document by reiterating the organization's commitment to excellence and its belief in the power of teamwork and collaboration to achieve great things.

1 So, it is with great pleasure that I introduce my
2 wife, Mary Pattiz.

3 CHAIRMAN BURTON: Is she going to be at the
4 dinner with you and Senator Karnette?

5 [Laughter.]

6 MR. PATTIZ: My wife is very active in the
7 community. I'll try and find a night when she's busy.

8 [Laughter.]

9 CHAIRMAN BURTON: Witnesses in support?
10 Witnesses in opposition?

11 Hearing none, move the nomination.

12 SECRETARY WEBB: Senator Karnette.

13 SENATOR KARNETTE: Aye.

14 SECRETARY WEBB: Karnette Aye. Senator Knight.
15 Senator Romero.

16 SENATOR ROMERO: Aye.

17 SECRETARY WEBB: Romero Aye. Senator Johnson.
18 Senator Burton.

19 CHAIRMAN BURTON: Aye.

20 SECRETARY WEBB: Burton Aye. Three to zero.

21 CHAIRMAN BURTON: Congratulations, Norm.

22 MR. PATTIZ: Thank you very much.

23 [Thereupon this portion of the
24 Senate Rules Committee hearing
25 was terminated at approximately
26 9:58 A.M.]

27 --ooOoo--
28


CERTIFICATE OF SHORTHAND REPORTER

I, EVELYN J. MIZAK, a Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing transcript of the Senate Rules Committee hearing was reported verbatim in shorthand by me, Evelyn J. Mizak, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said hearing, nor in any way interested in the outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of September, 2003.


EVELYN J. MIZAK
Shorthand Reporter

Dolores Huerta

Statement and Goals

I would like to take this opportunity to express my sincere appreciation to Governor Davis for nominating me to the Board of Regents of the University of California. I also want to thank Senator Burton and Senator Gloria Romero for their ongoing support for my confirmation by the California Senate.

Throughout my life I have learned what it takes to overcome seemingly impossible barriers. I am a co-founder of the United Farm Workers Union and struggled with Cesar Chavez to build the farm worker movement. I believe that my lifelong experience with the working poor will bring a valuable perspective to the UC Board of Regents.

It is my vision that this world-renowned University will be able to educate and train California's leadership for decades to come. Leadership that is diverse, addresses social problems and provides innovative research.

I am committed to the following goals: Diversity, Solving Social Problems, and Innovative Research

- Diversity

A university that is diverse in all of its elements including its students, employees, faculty and administration and is relevant to the community at large.

California is on the cusp of major economic and demographic changes. The university must embrace diversity at all levels, if it is to be representative of the California of the future. This includes increasing admissions for disadvantaged and underrepresented groups. We need to diversify the pool of faculty and staff. This will require early preparation, outreach, and financial aid in order to reach these goals.

Our communities are increasingly multicultural and linguistically rich. Our public higher education institutions must respond to that changing population so that the talent in these communities can be tapped as future scientists and other professionals. Collaboration with public and private institutions of higher education that are Hispanic-serving institutions is important.

- Addressing social problems

The university is positioned to help California address many of the economic and social problems. Its hospitals provide cutting edge technology while serving a large portion of California's indigent patients.

Introduction

Background

The purpose of this study is to investigate the effects of the proposed system on the performance of the system. The study is conducted in a controlled environment and the results are presented in the following sections.

The study is conducted in a controlled environment and the results are presented in the following sections. The study is conducted in a controlled environment and the results are presented in the following sections.

The study is conducted in a controlled environment and the results are presented in the following sections. The study is conducted in a controlled environment and the results are presented in the following sections.

The study is conducted in a controlled environment and the results are presented in the following sections. The study is conducted in a controlled environment and the results are presented in the following sections.

The study is conducted in a controlled environment and the results are presented in the following sections. The study is conducted in a controlled environment and the results are presented in the following sections.

The study is conducted in a controlled environment and the results are presented in the following sections. The study is conducted in a controlled environment and the results are presented in the following sections.

The study is conducted in a controlled environment and the results are presented in the following sections. The study is conducted in a controlled environment and the results are presented in the following sections.

The study is conducted in a controlled environment and the results are presented in the following sections. The study is conducted in a controlled environment and the results are presented in the following sections.

I am committed to working on establishing partnerships between the university and our California schools. For example, we need to do more in developing partnerships in urban schools, schools in economically poor areas and in our rural schools.

California cannot be isolated from the world and must address issues of global peace, prosperity and poverty. Multiculturalism is often viewed as a personal condition, but in fact it is vital to our society's prosperity and well being. It is important for promoting trade and forming partnerships in the Pacific Rim, Latin America and Africa.

- UC research that is innovative

Social impact research, policy development and analysis are critical to addressing the challenges of domestic and world poverty.

What we can do to improve the quality of our food supply and how we can help small farms and improve worker safety. We need the university to develop research in safeguarding our food supplies and keeping our workers in the farm safe.

Today we face an unprecedented crisis of a tidal wave of students while at the same time facing diminished fiscal resources. But as I have learned in times of crisis, we can overcome adversity when we work together. I am committed to working with all parties in promoting diversity, addressing social problems and advancing innovative research.

Thank you for this opportunity to serve as a regent of the University of California.

September 11, 2003

...the ... of ...

...the ... of ...

...the ... of ...

...the ... of ...

...the ... of ...

...the ... of ...

NORMAN J. PATTIZ

Statement and Goals

First I would like to say how grateful I am to the Governor for this new appointment to the board of Regents. It would be both an honor and a privilege to continue to serve in this important capacity.

I was born in California. I went to school in California. I started my business, Westwood One, in California. I believe in California's spirit for trying new things and its ingrained sense of optimism and enthusiasm for success; for striving to provide opportunities to the diverse population that have settled here with their families and their dreams. I've been very fortunate in my life. And I believe in giving back. Whether it's to my high school, Hamilton High, where I am a major supporter of its Academy of Music, an LAUSD Magnet for Music and the Performing Arts that is recognized as the premiere public music school in the western United States. Or the U.S Broadcasting Board of Governors, where I use what I learned in the radio business to support public diplomacy efforts of the United States abroad. Or as an appointee to the State's "21st Century Infrastructure Commission." Or as the past President of the Broadcast Education Association, an organization of 1,000 colleges and universities with programs in mass communication.

Of course, the root of much of California's past success and future aspirations depends on education and in particular on the justifiably renowned UC system. The UCs represent what is best about our state. If we expect to continue to be leaders and models for our nation -- producing great ideas and powerful trends -- we must insure their continued health and growth. What I do know is that I believe strongly in the idea of excellence -- and of providing all Californians the kind of superior education that insures their ability to contribute back -- to their families, their neighborhoods and their state. To be able to infuse the corporate sector with the most innovative practices and ideas possible. To inspire the public sector to new heights, while accomplishing great things. To support cutting edge research that can spur on new solutions to old dilemmas. And we should be open to take risks to accomplish these objectives. I think we must also recognize our obligation to the diversity of California. To be a model, through education, for other states on how we can include a spectrum of Californians in our state's future.

Having now had the opportunity to serve a short time as a Regent, I am both inspired and humbled by the opportunities and difficulties that face this body. I have learned firsthand that there are no easy answers in determining the best path to bring this fine university system successfully into this complicated new millennium. The twin and seemingly distinct challenges of providing both opportunity and excellence are disarmingly real. But as someone who started a diverse -audience oriented radio company, and more

100

100

100

100

recently the US government's radio service and companion television network for the Arab world. I value the chance this post affords me to try and make a difference in a diversified environment. I look forward to working hard on this issue, in particular, in the upcoming years.

I have also had the chance to be involved in an important conversation about another balancing act; that of academic freedom and academic responsibility. I hope to stay engaged in the evolution of a new policy as it is unveiled.

While it may be difficult to do in these leaner times, I hope we can continue to encourage broad, new thinking. To empower a range of both students and faculty with the entrepreneurial spirit. To take advantage of our more fluid society, with fewer traditional constraints to be in the vanguard of creativity. In short, to provide the kind of superior education to all our students of which we can be proud.

[Faint, illegible text, possibly bleed-through from the reverse side of the page]

484-R

Additional copies of this publication may be purchased for \$3.00 per copy
(includes shipping and handling) **plus current California sales tax.**

Senate Publications
1020 N Street, Room B-53
Sacramento, CA 95814
(916) 327-2155

Make checks payable to SENATE RULES COMMITTEE.
Please include Stock Number 484-R when ordering.

